PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 325

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1998–99

COMPRISING PERIOD
8 February—16 February 1999

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8 February 1999

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 325**

THIRD VOLUME OF SESSION 1998–99

House of Commons

Monday 8 February 1999

The House met at half-past Two o'clock

PRAYERS

[Madam Speaker *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Pensions Green Paper

1. **Mr. David Borrow** (South Ribble): What assessment he has made of the responses to the pensions Green Paper received to date. [68005]

17. **Mr. Tim Collins** (Westmorland and Lonsdale): How many responses to the Green Paper on pensions he has received to date. [68022]

19. **Mr. Edward Leigh** (Gainsborough): How many responses to the Green Paper on pensions he has received to date. [68024]

The Secretary of State for Social Security (Mr. Alistair Darling): The pensions strategy set out in our Green Paper has received a great deal of support. We have received a number of written responses and expect to receive many more by the closing date, which is 31 March.

Mr. Borrow: Thousands of my constituents who rely on income support will be substantially better off from 1 April, with the Labour Government's minimum income guarantee. However, many thousands more of my constituents rely on a mixture of modest savings and small pensions, and they are little, if at all, better off—and, in some cases, worse off—than pensioners on income support. Can the Secretary of State assure me that, under the proposals in his Green Paper, pensioners will be substantially better off in the future?

Mr. Darling: My hon. Friend is right. From April, the minimum income guarantee will mean that a single pensioner will get at least £75 a week, and couples will get at least £116.60. He correctly identifies a problem that has existed in the social security system for many years, where pensioners may have a modest amount of savings and perhaps a small income. As I announced in December, the Government are studying that difficulty with a view to removing it, because we want to reward saving, and because saving should not be penalised.

My hon. Friend asked a general question. Of course, one of the main objectives of the pensions Green Paper was to ensure that people who work throughout their lives have the opportunity to save, to the extent that they get a pension that is above benefit level. We intend to achieve that objective.

Mr. Collins: Given that one of the Government's first actions, in their first Budget, was to take £5 billion a year from pensioners, will the White Paper give them that money back?

Mr. Darling: The hon. Gentleman will be aware that one of the best things that we can do to help pensioners now and in future is to create a climate of economic stability. Part of our objective in modernising the corporation tax regime was to ensure that companies were more profitable, which would benefit their shareholders, including pension funds and individual pensioners. We now have the lowest corporation tax ever, thanks to this

Labour Government; that is good for pensioners because it is good for the long-term profitability of the corporate sector.

Mr. Leigh: Was it entirely fair to the general public to launch the Green Paper on pensions in December and then, last week, just two or three months later, to launch the lifelong individual savings account—a new form of pension saving—without any mention having been made of LISAs in the original document in December? Was that fair?

Mr. Darling: I can only assume that the hon. Gentleman did not read the Green Paper because, had he read it, he would have seen that it was clearly set out there that we were going to make a further announcement, adding a further option to stakeholder pensions. The important thing is—

Mr. Leigh *indicated dissent.*

Mr. Darling: The hon. Gentleman may shake his head, but it was written in the Green Paper. He should read it rather than criticise it.

The hon. Gentleman will also accept that the main thrust of our Green Paper was to give people as many choices as possible, to take account of changing labour market conditions and people's different requirements. As I said in reply to the question by my hon. Friend the Member for South Ribble (Mr. Borrow), our objective is to ensure that as many people as possible save, to enjoy a decent income in retirement.

Mr. Frank Field (Birkenhead): Will the Government publish a detailed analysis of all the responses to each of the Green Papers?

Mr. Darling: As my right hon. Friend will know, yes we will. He knows that we have published all the responses to all the consultation exercises that we have carried out, including those to the two Green Papers that he had a hand in drafting. I believe that they are not in the Library because they are too bulky, but they are available, except when people have expressly said that they do not want their response to be made public. The analysis is, of course, taken into account when the Government develop their policy. Therefore, the answer to my right hon. Friend's question is that we are analysing the responses and publishing them in full.

Mr. David Rendel (Newbury): Does the Secretary of State accept that there is a glaring gap in his proposals as far as the self-employed are concerned? Does he also accept that the self-employed are unlikely to invest sufficiently in second-tier pensions for themselves unless there is at least an element of compulsion?

Mr. Darling: I wonder whether the hon. Gentleman listened to my statement on 15 December and whether he has read the Green Paper, because I explicitly said that the case for compelling the self-employed was stronger than that for compelling everyone else. We know that many self-employed people are not making provision for themselves. Part of the logic of introducing the stakeholder pension, and of last week's announcement, is to give self-employed people more options than before, so that they have no excuse for not saving.

If the hon. Gentleman reflects on what is said in the Green Paper and what I said in the statement, he will realise that the Government have been looking at everyone's pension needs because our objective is to end the current situation, whereby, as he knows, about one third of people now working would retire on benefit if we did nothing. That is not good enough.

Dr. George Turner (North-West Norfolk): My right hon. Friend will know that, during last week's debate on pensions, a possible misinterpretation could have been put on the facts as to whether there was an element of robbing Peter to pay Paul in the state second pension. Can he confirm unequivocally that all those who will be on the state second pension will be better off—whether they are above or below the £9,000 divide—than they would have been on the state earnings-related pension scheme?

Mr. Darling: My hon. Friend is right because the new state second pension is not earnings related. Therefore, it disproportionately benefits those on low incomes as well as everybody on that part of his or her income below £9,000. The objective is to ensure that those on low pay will accumulate during their lifetime a decent pension on which to retire. Moderate earners will have the increased rebate, which they can take into their funded pension, which we believe will mean that they will be better off than otherwise.

Mr. Quentin Davies (Grantham and Stamford): In answer to my hon. Friend the Member for Gainsborough (Mr. Leigh), the Secretary of State was trying, retrospectively, to pretend that his Green Paper, which came out in December, was consistent with the Treasury's proposals for lifelong individual savings accounts, which came out last week. If that were the case, why does page 55 of the Green Paper state:

> "The legislation for stakeholder pension schemes will provide for schemes to be set up under trust law",

whereas the Treasury's proposals last week explicitly excluded LISAs from being under trust law?

Mr. Darling: Let me explain to the hon. Gentleman. We are legislating to provide for stakeholder pensions to be set up under trust law because without that legislation they could not exist. That is why we are introducing the legislation.

The hon. Gentleman asked also about the proposals that were introduced last week. We are not legislating in that area because primary legislation is not needed to effect the proposals. That can be done by secondary legislation.

I suggest to the hon. Gentleman and to just about everyone else on the Conservative Benches that, if they read the papers before they spoke, they would be much better off.

Benefit Vouchers

2. **Dr. Ian Gibson** (Norwich, North): What plans he has to review the payment of those benefits under which vouchers are issued to employees. [68006]

The Minister of State, Department of Social Security (Mr. Stephen Timms): In November 1998, we referred draft regulations to the Social Security Advisory Committee to make non-cash vouchers subject to national insurance contributions, in the same way as cash earnings.

After a period of consultation, the committee sent its report to the Secretary of State on 28 January 1999. We are considering the report and its recommendations and will respond in due course.

Dr. Gibson: My hon. Friend will be aware that one of the anomalies raised in the draft regulations became known as the Great Yarmouth anomaly. An unscrupulous employer at a care home was dodging national insurance contributions by paying in Asda vouchers. Does my hon. Friend consider that luncheon vouchers are in the same boat, as it were? After all, first they have never been considered to be part of wages and salaries. Secondly, their use would discriminate against people who do not have national insurance-free and tax-free canteens in their workplaces. Thirdly, it might lead to much unemployment in the catering industry.

Mr. Timms: We announced during the summer of 1997 that we wanted to reduce the burden for business by bringing together the arrangements for income tax and national insurance. The Social Security Contributions (Transfer of Functions, Etc.) Bill which will be considered by the House this afternoon is an example of that process.

Where two people receive the same pay but one receives part of his pay in vouchers, there is no good reason why that person should pay less in national insurance than the other. My hon. Friend has made an important point. It has been possible for unscrupulous employers to avoid paying national insurance by paying part of people's pay in vouchers, thereby keeping the cash wage less than the lower limit for national insurance contributions. That keeps people outside the national insurance system and outside the protection of contributory benefits when they should be inside that system and within that protection.

I believe that what we are proposing is right. I am aware that concern has been expressed about damage to the catering industry. However, I do not see any reason to expect a significant impact on people in that industry.

Mr. Pickles: When considering those persons on benefit and those in receipt of vouchers, will the Government take into consideration the discussion that is now taking place between the Secretary of State and the Home Office about involving the benefit system in the penal system? Will those in receipt of vouchers be treated differently from those in receipt of general benefits? Will the benefits that are designed to support the family be affected? Are there other proposals to bring the penal system into the benefit system?

Mr. Timms: As far as I know, people on probation are not in receipt of luncheon vouchers. I can assure the hon. Gentleman that, in resolving the issue and coming forward with proposals in response to the report that we have received from the Social Security Advisory Committee, we shall take all relevant issues fully into account.

Benefit Fraud

3. **Mr. Syd Rapson** (Portsmouth, North): What assessment he has made of the responses to the Green Paper on tackling fraud in the benefit system. [68007]

The Secretary of State for Social Security (Mr. Alistair Darling): The majority of responses supported the direction suggested in the Green Paper. As I announced on 14 January, we shall shortly publish our strategy for combating social security fraud in the light of those responses.

Mr. Rapson: May I congratulate my right hon. Friend on the Green Paper? It is an excellent document, which emphasises that fraud, whether it be a fiddle or an organised gang stealing hundreds of thousands of pounds from the system, robs the poor and the vulnerable. Is my right hon. Friend therefore prepared to set tough targets for his Department, to ensure not only that such crime is detected, but that it is stopped?

Mr. Darling: My hon. Friend is right. Part of the problem that we inherited is that far too much attention was devoted exclusively to the detection of fraud. Clearly, detecting fraud is of the utmost importance, but preventing fraud in the first place is just as important.

With regard to my hon. Friend's kind remarks about the Green Paper, as my right hon. Friend the Member for Birkenhead (Mr. Field) is no doubt thinking, the credit is not due to me, as the Green Paper predates my arrival at the Department. I am sure that my right hon. Friend will have heard my hon. Friend's comments.

Sir Sydney Chapman (Chipping Barnet): On what basis do the Government state in the Green Paper that there is £7 billion-worth a year of fraud in the benefits system? Can he point to any initiative that the Government have taken in the past 21 months to tackle fraud in the social security system?

Mr. Darling: On the latter point, lots. For example, just two weeks ago, we prevented the Royal Mail from redirecting mail in connection with housing benefit, which is one of the major sources of housing benefit fraud. Just before Christmas, I announced a £100 million initiative to get local authorities to check housing benefit claims properly. There is a list of steps that we have taken.

The hon. Gentleman asks on what basis the Government say that fraud could involve, as the Green Paper stated, anything between £2 billion and £7 billion a year. Over the past few months, we have tried to ensure that we can accurately assess the amount of fraud and error in the system. The Green Paper highlighted the fact that, as a result of the system that we inherited, which was in desperate need of proper assessment, it is not always possible to say accurately how much fraud there is in the system.

As I told the House a few moments ago, we shall publish our response to the Green Paper and set out how we intend to proceed. One of the matters that I shall deal with at that point is how we can accurately assess where the weaknesses are in the system, so that we can tackle them.

Mr. Malcolm Wicks (Croydon, North): Will my right hon. Friend take this opportunity to comment on the departmental document on family credit fraud, recently published by the Select Committee on Social Security, which shows that the family credit system is wide open to fraud? Although we understand that it was based on a pilot survey, and that statistically there are some doubts, it suggests major family credit fraud. What steps is my right hon. Friend taking to tackle such fraud, and how are we building into the new working families tax credit defences against fraud, as suggested in the Green Paper on fraud?

Mr. Darling: My hon. Friend is right to say that that preliminary study suggested that there were gaps in the safeguards in the family credit system, which have built up over a number of years. The findings were never published because the sample was so small that they were said not to be statistically accurate. Nevertheless, I decided that, as the Select Committee had asked to see them, they ought to be made available.

I was happy to do that because, at the same time as we received the findings of that initial study, we put in the benefit fraud inspectorate to carry out a further check. As a result of that, a report has been prepared which I considered over the weekend and which I intend to publish later this week. It identifies weaknesses in the system, some of which have been dealt with while others will be dealt with.

My hon. Friend is right—it is important that the working families tax credit works properly and that, if there are any difficulties with it, we deal with them now. My hon. Friend the Paymaster General is seeing the report today. I am sure that she will want to address the safeguards that the Treasury is putting in place during the passage of the Tax Credits Bill through Parliament.

Mrs. Virginia Bottomley (South-West Surrey): Given that one of the most sensitive areas of benefit fraud concerns the application of the cohabitation rules, and in the light of the overwhelming vote to equalise the age of consent, is the right hon. Gentleman considering equalising the effect of the cohabitation rules?

Mr. Darling: I cannot say that we have any immediate plans to do that. I am aware of the difficulty in the cohabitation rule, and the right hon. Lady will be aware of it, too, because there is nothing new in it. Indeed, as I understood it, the previous Government were not inclined to do anything about the cohabitation rule either. This is a difficult issue, and something that we keep under review, but I cannot promise her that there is about to be an announcement. I do not think that there is.

Child Support Agency

4. **Mr. Bill O'Brien** (Normanton): If he will make a statement on the work of the Child Support Agency independent case examiner; and how many cases are currently pending a decision. [68008]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The Child Support Agency's independent case examiner began work in April 1997. As at 31 December 1998, she had received a total of 2,193 applications. Of those, 416 are still awaiting a decision.

Mr. O'Brien: I thank my hon. Friend for that response, but was not the independent case examiner brought in because the parliamentary ombudsman could not handle the vast number of cases that were referred to that department? Will she confirm that 40 members of staff in the independent case examiner's office are dealing with cases and that it has taken more than 17 weeks to process one case?

Will my hon. Friend also confirm that, in 1997–98, more than £1.1 million was paid in compensation? In the current year, the figure for compensation could exceed £3 million. Will she therefore take action to speed up the proposed changes to the Child Support Agency, to reduce the number of cases being referred to the independent case examiner and to reduce the amount of money—taxpayers' money—that is paid in compensation?

Angela Eagle: It is absolutely true that the current system of child support maintenance assessment that we inherited from our predecessors requires, in some cases, up to 104 pieces of information to be gathered before an assessment can be made. Clearly, the answer to that lies in the simplification that the Green Paper on reforming the Child Support Agency suggests. I can tell my hon. Friend that 1,500 individuals and 80 organisations responded to the consultation and we hope to make a statement on the way forward soon.

Mr. David Ruffley (Bury St. Edmunds): Can the Minister explain the basis of the Government's claim that 75 per cent. of absent parents and parents with care will be better off under the new system?

Angela Eagle: First, one of the reasons why almost everyone will be better off is that the new system will work faster and people will get their maintenance. At the moment, 90 per cent. of CSA time is spent assessing maintenance rather than collecting it, so one of the big advantages of the new system will be a much streamlined, and more effective and efficient, way of getting the money to the parent with care.

Minimum Income Guarantee

6. **Ms Rosie Winterton** (Doncaster, Central): If he will make a statement on the implementation of the minimum income guarantee for pensioners. [68011]

The Minister of State, Department of Social Security (Mr. Stephen Timms): The minimum income guarantee will be delivered through income support. We plan a number of improvements to help those who are entitled to claim the guarantee to do so, for example by triggering claims at particular events when entitlement is likely to arise. We have also said that we will examine how we might reform the rules to reward better those who save for their retirement.

Ms Winterton: I thank my hon. Friend for that reply, particularly because about 9,000 pensioners in my constituency will benefit from the minimum income guarantee. However, Age Concern and the citizens advice bureau have raised a number of concerns, some of which he has addressed, in respect of the fact that thousands of people are unaware of their entitlement to income support. They will therefore be unaware of their entitlement to the minimum income guarantee.

There is also the issue of the notional interest which is put on savings above £3,000. Is my hon. Friend looking at that matter as well as the other issues that he has outlined?

Mr. Timms: My hon. Friend is quite right. We estimate that between 400,000 and 700,000 pensioners eligible for the minimum income guarantee are not currently claiming income support. Pensioners who are not initially eligible for the guarantee are most likely to become eligible when they reach 75 or 80, or when they start to receive attendance allowance, because, at that point, a higher premium becomes payable and another group of people comes within the scope of the guarantee. We are looking at how to trigger claims from those people automatically at those points, and at other measures that could encourage people to come forward, including a take-up publicity campaign which we hope to run later in the year.

My hon. Friend is also right in that we intend to consider the current rules on savings, which prevent some people who would otherwise benefit from the minimum income guarantee from doing so. We want to produce proposals during this Parliament to address that issue as well.

Mr. Julian Brazier (Canterbury): In answer to an earlier question, the Secretary of State referred to the anomaly whereby people who have saved modest amounts or who have small pensions are penalised by the existing benefits system. In considering the minimum income guarantee, will the Minister confirm that, as it stands, the number of such people will be greatly increased, and that disincentives to save for pensions will become still greater? Will he also confirm that it will take more than tinkering with this proposal to remove the considerably increased disincentive to save for pensions?

Mr. Timms: The question that the hon. Gentleman must answer is: does he agree that even the least well-off pensioners should share in rising national prosperity? Of course, it would be possible to increase the guarantee only in line with prices to keep it at a lower level. That would reduce the number of people benefiting from it, and it would also leave a large number of pensioners stranded on lower incomes than they should be receiving. We are committed to security and a decent income for all in retirement. My right hon. Friend has made it clear—and it is spelled out in the Green Paper—that we are looking into the amount of savings people can have before they become ineligible for the minimum income guarantee, and we shall produce proposals to address that issue.

Mr. David Winnick (Walsall, North): Do I take it that the minimum guarantee does not exclude other matters? Is my hon. Friend aware that I am pursuing the case of one of my constituents, who is 79, very unwell—that is not in dispute—has been housebound for three years and has been refused a social fund grant for a mobility chair? Will he give me a promise that, once Question Time is over, he will investigate this matter carefully? The reply that I have received stated that the case has gone through review and has been rejected. That is totally unsatisfactory. I want justice for my 79-year-old constituent, and I want it very soon indeed.

Mr. Timms: I was not previously aware of the details of my hon. Friend's case, but I should be delighted to look into it if he would write to me about it.

Mr. Steve Webb (Northavon): The Government want people on £10,000 a year to take out stakeholder pensions, but will not require them to put anything in beyond their rebates. If someone on £10,000 a year puts in just his national insurance rebates at the start of his working life, will he reach retirement needing to depend on the minimum income guarantee?

Mr. Timms: No. The state second pension has been designed to ensure that everyone who is in it will, when he gets to retirement age, have an income above the minimum income guarantee level. People earning more than £9,000 who choose to move into a stakeholder pension should also be above that level. We hope that stakeholder pensions will ensure that people who contribute to them and receive them are above—well above in most cases—the minimum income guarantee level when they retire.

Gillian Merron (Lincoln): How do the measures that the Government are introducing to support pensioners, such as the minimum income guarantee, compare with what would have happened had the link with earnings been restored?

Mr. Timms: The restoration of the link with earnings would have been an extremely expensive measure. We have chosen to concentrate help on those who need it most. The minimum income guarantee allows us, from April, to offer pensioners dependent on income support an increase in their income three times the rate of inflation. That is a significant boost for the pensioners who need it most.

Lone Parents

7. **Mr. Simon Burns** (West Chelmsford): How many lone parents have been sent a letter about the new deal for lone parents since July 1997; and how many of these *(a)* have received a job and *(b)* remain in that job under the scheme. [68012]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): Up to 25 December 1998, 88,662 initial letters had been sent to lone parents. Information on the number of lone parents who have been sent letters and who have subsequently found a job and on the proportion remaining in work will not be available until the full evaluation of the prototype phase, which is due to be published in the autumn.

What we do know is that the new deal is helping lone parents into work. By 25 December 1998, 27,231 lone parents had decided to join the programme, of whom 5,881 had found jobs.

Mr. Burns: Does the Minister accept that I find her answer rather lame and surprising, given that the

Government—certainly until last summer—have always answered this question in written form, month on month? Did the Minister sidestep this issue because the figures show that almost 66 per cent. of people who receive a letter throw it away, and only about 7 per cent. of people find jobs, at a cost of £15,000 per job? The number of people who stay in a job long term is less than the 5,881 figure that the Minister gave, which shows a success rate of slightly less than 5 per cent.

Angela Eagle: I have answered the hon. Gentleman's question. We do not know how many people who now have jobs took advantage of the new deal because they received the letter, and how many did so because—*[Interruption.]* That is the way in which the hon. Gentleman phrased his question. He will find that I have answered the question accurately, as you require us to do, Madam Speaker. Until the end of the pilot scheme, we shall not be able to distinguish between those who took advantage of the new deal following receipt of the letter, and those who went along to the office because, for instance, they had seen advertisements. The hon. Gentleman will have a final answer then; meanwhile, I can confirm that we shall continue to publish results for him monthly.

I do not share the hon. Gentleman's rather pessimistic view of the results so far. Indeed, given that he was a member of a Government who did nothing but abuse lone parents for 18 years, I find his attitude incomprehensible.

Mr. Gerry Sutcliffe (Bradford, South): The success of the new deal for lone parents is shown not just by the number of lone parents who have returned to work, but by the cultural change that has taken place in the attitude to people on benefits. Personal advisers have advised lone parents on whether to stay on benefit or take up work, depending on which pays. Does that not constitute a dramatic change from the attitude of the Conservatives, who, when they were in power, described lone parents as scroungers?

Angela Eagle: I could not agree more. We should remember that some lone parents have been out of the work force for a long time. If we can get such people into training, or make it possible for them to contemplate looking for a job when their children reach a certain age, that will be a positive outcome of the new deal. It is not simply aimed at people who can go into jobs immediately.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Did not the Minister's reply to my hon. Friend the Member for West Chelmsford (Mr. Burns) show that the whole scheme has now failed? She has told us that, in fact, the Government have a strike rate of marginally above 5 per cent. in terms of people returning to work, and that the cost is £15,000 a job. Is it not the case that over the past two years, instead of looking properly at the programme and realising the direction in which it was heading, the Government have failed to take account of the problems?

Most important, will the Minister now undertake to reply to the last part of my hon. Friend's question: what is the fall-out rate after six months? The results have been published month on month, and the rate has risen to as high as 23 per cent. Now the Department has written to us saying that it will not answer the question, because the cost would be disproportionate. What has the Department got to hide?

Angela Eagle: I find it surprising that the hon. Gentleman can dismiss the fact that nearly 6,000 lone parents now have jobs and are able to support children in poverty. Part of the Conservative Government's legacy was the fact that almost one child in three was born into poverty. We are determined to do something about that, and this is a way of doing it.

Single Gateway

8. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on his Department's role in the single work-focused gateway. [68013]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): This Department and the Department for Education and Employment have joint responsibility for the delivery of the single work-focused gateway. Both Departments are working together to develop a more integrated and work-focused service for benefit claimants.

Mr. Chapman: Does my hon. Friend agree that the Government's view that work is the best form of welfare is generally shared? Does she also agree that many people in my constituency, including disabled people, have hitherto felt discouraged from working, and will see a fresh opportunity in the new single gateway? Is it not important for personal advisers to be trained adequately for their important task, and should we not proceed in the pilot areas, focusing attention on where help is needed, as quickly as possible?

Angela Eagle: We must deal sensitively with people with disabilities who may be entering the labour market for the first time. Research shows, however, that nearly 1 million people with disabilities want a chance to participate in that market. *[Interruption.]* Rather than sneering, the Conservative party should give us some credit for trying to include those people in society.

Miss Anne McIntosh (Vale of York): Does the hon. Lady agree that personal advisers will have a crucial role? I understand that parts of the Vale of York and City of York will fall within the pilot scheme. What will the precise role of the personal adviser be? How many of them will there be? What will the cost to the taxpayer be? The Minister touched on the role of disability benefits. Can she assure me that no disabled person will have benefit removed because he or she is not able to access the interview on the first date given?

Angela Eagle: The idea is to pass on to the benefits system some of the important lessons that we have learnt in implementing the new deal, where the role of the personal adviser has been much appreciated by people who have been through that training. The idea is for the personal adviser both to ensure that the correct benefits are claimed and to investigate pathways to independence for the person who is having the interview. The pilots will take place initially in 12 areas. The cost set aside for running the 12 gateway pilots is £80 million.

Departmental Budget

9. **Mr. Andrew Lansley** (South Cambridgeshire): What increase in his Department's budget he expects between financial years 1997–98 and 2001–02 attributable to decisions made since 1 May 1997. [68014]

The Secretary of State for Social Security (Mr. Alistair Darling): Social security spending is growing at less than half the rate under the previous Parliament. Our plans are prudent and address the real needs of families and the poorest pensioners.

Mr. Lansley: Does the Secretary of State understand that I am disappointed that, in his answer, he did not recognise that social security spending will rise by £37 billion in the next three years? Will he confirm that about one third of that increase is directly attributable to Government decisions since May 1997? Will he further recognise that that runs directly counter to the Government's manifesto promise that they would

"break the spiral of escalating spending on social security"?

Mr. Darling: I am delighted to help the hon. Gentleman. I can confirm that, of the increase in spending, some £12 billion will go towards supporting pensioners, some £7 billion will go towards supporting disabled people and carers and a further £7 billion will go to families and children, with a record increase in child support. If he is telling us that the Conservatives are against all those things, I am sure that pensioners, disabled people, their carers and families with young children will begin to wonder what on earth the Conservative party is all about.

Social security spending is now growing at half the rate that it was under the last Parliament over which the Conservatives presided. We are getting the social security system under control. We are tightening the gateways to benefit; we are tightening our offensive against fraud. We are cutting the bills of economic failure, which we promised to do in our manifesto, and getting more people into work. What we have is a modern, effective and manageable social security system. At the same time, we are helping the most vulnerable people in society, whom the Conservatives neglected for years.

Fiona Mactaggart (Slough): Would the Secretary of State like to explain the difference between the proportion of the social security budget that is being spent on failure and joblessness, and the proportion that was spent under the previous Government? How have our policies shifted that proportion?

Mr. Darling: My hon. Friend makes an important point. If people follow the exchange of questions, it will be increasingly obvious that the Conservative party has little interest in doing anything to help people to get off benefit and into work. We have announced a range of proposals. The single gateway into the benefit system will mean that, for the first time, everyone of working age will come through a gateway and be advised on how to get back into work, as well as to their entitlement if they are not able to work. We attach considerable importance to doing that because that is the way in which to cut the bills of economic failure. By doing that, we can do far more for those who need security and who look to the Government to help them.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Has the Secretary of State had a chance yet to study the recent work by the London school of economics, which examines the hitherto unknown proportion of people who are above the age of 55, are out of work and can be helped back into work by sensible targeting of the new welfare-to-work proposals? If there are some extra pockets of money that he can find, will he give priority to trying to help that group of the population into work? The LSE's work shows that much can be done to try to help that cohort of the population.

Mr. Darling: The hon. Gentleman makes an important point. Many people over 50 are capable of work, but sometimes find themselves out of work, and they are beginning to wonder whether life has passed them by. The Government attach considerable importance to ensuring that everyone who can work does so. We shall look at what further action we can take to encourage not only that group of people, but others to get into work.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Will the right hon. Gentleman admit that the point, quite simply, is that the Government were elected on a pledge—in which the Prime Minister was to the forefront—to cut social security spending? The Prime Minister made the pledge not once, but two or even three times. Now, we notice that Ministers never want to repeat the pledge, as they are clearly failing to keep it. Surely the admission that, next year, as a direct result of the Government's activities, social security expenditure is likely to rise by about 4 per cent. explains why Ministers are scrabbling round, trying to tax child benefit and penalise married couples—who have declared an obvious relationship and who will suffer directly as a result of the Government's policies. Will the right hon. Gentleman now admit that, by increasing spending, the Government have changed the policies that they promised, during the general election, to pursue? Ministers have admitted the increase, and they have failed in their pledge.

Mr. Darling: The hon. Gentleman knows that he is quite wrong about that. He was at it again this morning, on the "Today" programme. Half what the Department of Social Security spends goes on pensioners; about 10 per cent. goes on families and children; and about a quarter goes to sick and disabled people. At the general election, we said that we would cut the bills of economic failure, and we are doing that. At the general election, we promised that we would do more for pensioners, and we are doing that. We also said that we would do more to support families and children, and we are doing that with a record child benefit increase. We also said at the general election that we would do more to help sick and disabled people, and their carers. Later today, my hon. Friend the Minister of State, Home Office will be making a statement on that matter, to deliver yet another manifesto promise.

The point—I appreciate that Conservative Members find it difficult to understand—is that this Labour Government have kept each and every one of our promises. We have a social security system that is manageable, affordable and equipped to meet the needs of the United Kingdom, both now and in the future. Conservative Members will just have to face up to that fact. If they disagree with what we are doing, let them tell us whether they want to cut pensions, support for families or support for the disabled. If they cannot answer that question, they really should keep quiet.

Habitual Residence Test

10. **Ms Oona King** (Bethnal Green and Bow): If he will make a statement on the habitual residence test. [68015]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): Our review of the habitual residence test is on-going. We shall make our recommendations for its future once we have received and considered the judgment of the European Court of Justice in the case of Mr. Robin Swaddling, which is due to be given on 25 February.

Ms King: I thank my hon. Friend for that reply. Is she concerned by claims that, although the Government save about £30 million annually by refusing claimants under the habitual residence test, an almost equivalent amount is paid out to families facing destitution under the Children Acts and the National Assistance Act 1948? Moreover, many people on benefit are discouraged from seeking employment in the European Union because of the risk of losing benefit when they return. Will the review take those two points into consideration?

Angela Eagle: We should remember that 89 per cent. of United Kingdom nationals who take the test pass it, and that 85 per cent. of all those who take it pass it. My hon. Friend will remember as well as I do the test's origin—a certain singalong performance at Tory party conference a few years ago. We shall consider the points that she has raised—especially in the light of the European Court of Justice statement, on 25 February—and continue to investigate how best we can balance the right of United Kingdom taxpayers not to subsidise people with very little connection to the United Kingdom with the understandable rights of United Kingdom citizens.

Mr. Nicholas Soames (Mid-Sussex): Does the hon. Lady consider that issuing identity cards would make that type of work much easier?

Angela Eagle: The identity card issue is really one for my right hon. Friend the Home Secretary. However, on the habitual residence test, the benefit of changing policy to quite the extent suggested by the hon. Gentleman would be like using a sledgehammer to crack a nut.

Consultation Papers

11. **Dr. Lynne Jones** (Birmingham, Selly Oak): If he will publish summaries of responses to his Department's consultation papers. [68016]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Lists of those organisations and academics who responded to our consultation papers, excluding those who requested confidentiality, have been placed in the House Libraries. Copies of their responses are available on request from the Department.

Dr. Jones: Will my hon. Friend confirm that submissions to Government consultations are all read, that his Department collates them and that an assessment is prepared for Ministers' consideration? If that information is readily available—as one would expect, otherwise Government consultations would be shown to be a sham—and the Government are committed to openness and transparency, what is the problem with publishing it? Will he publish his Department's assessment of responses to Green Papers, including the important welfare reform Green Paper?

Mr. Bayley: All the responses are read and considered by the Government; they inform Ministers' decisions. Summaries of the sort that my hon. Friend suggests are not prepared for Ministers. Any summary that the Government published could not give a totally balanced view. It would inevitably be open to the criticism that some important comments had been excluded or that a Government gloss had been put on others. We believe that all the comments should be available. I believe that my hon. Friend has requested copies of 49 of the submissions that have been made. We can make them available to others who request them.

Mrs. Theresa May (Maidenhead): Is the Minister aware of the responses made to his paper proposing changes to disability benefits by representatives of the Disability Benefits Consortium at a meeting in the House before Christmas? The Government's proposals to means-test incapacity benefit were described as a betrayal and one disabled person said that he was incensed that, although the Government were encouraging him to save for a pension—which is often difficult, given that a disabled person may not have the same working pattern as others—he would now find them putting their hands into his pocket and taking some of that money away. Will not the Government's proposals result in some disabled people having their incapacity benefit cut and many failing to qualify for it? If he does not receive summaries of all the responses to his Green Paper, can the Minister be sure that he has taken all the comments into account? If he does not, what kind of consultation is it?

Mr. Bayley: I have read the consortium's views. I should be a foolish Minister not to do so when forming an opinion on the views that have been submitted. It would not be sufficient simply to look at a summary. One needs to consider the whole document.

The changes to incapacity benefit are an attempt to modernise the system and target resources where they are most needed. The majority of people save for their retirement through a pension. Some 86 per cent. of men in full-time jobs and 77 per cent. of women in full-time jobs do so, as do a far higher proportion of women in part-time jobs than was the case when out-of-work sickness benefits were introduced. It is not sensible to ignore the provision that people have made for themselves. Those who make their own provision will be considerably better off. The hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) always talks about means testing. He is as wrong now as he has been in the two recent debates.

Savings (Retirement)

12. **Mr. Ian Pearson** (Dudley, South): What proposals he has to encourage saving for retirement. [68017]

The Minister of State, Department of Social Security (Mr. Stephen Timms): The reforms described in the pensions Green Paper published on 15 December should raise the incentives to voluntary saving through better-quality, better-value second pensions and restructured state support.

Mr. Pearson: I congratulate the Government on the pensions Green Paper. It is about time that someone grasped the nettle of modernising this country's pensions industry. I am confident that the proposed new framework will be a major improvement. When working out the detail, will my hon. Friend ensure that those who change their jobs frequently or take career breaks are not penalised and are given effective options? Will he also ensure that the Government lead the way and build in a right to an employer contribution to a pension plan for any employment funded indirectly through grants, such as the single regeneration budget programme?

Mr. Timms: My hon. Friend is right. There has long been a need for the changes that we have proposed. For far too many people, a good-value funded pension—or one that they can access on reasonable terms—is not available, and they are exactly the people at whom the stakeholder pension is aimed. We are committed to ensuring that everybody who can afford to save for retirement should have every encouragement to do so, and the proposed framework will have that effect. I will be happy to have a look at the question of the single regeneration budget, to which my hon. Friend referred.

Mr. Peter Viggers (Gosport): Is it not becoming increasingly clear that the combination of the guaranteed minimum pension and the increase in means testing will mean that many people who have saved for their retirement will be worse off than people who have made no provision for themselves at all? The Secretary of State may shake his head and Ministers may duck and weave, but that is a fact, and the Government are creating a monstrously unfair system. Is the Minister aware that, when people look behind the bland words of Ministers and see the facts, they will be deeply resentful?

Mr. Timms: The hon. Gentleman is mistaken. The aim of the framework proposals is that those who are able to save should do so, but that there should be security for those who are not able to save. The state second pension is a 100 per cent. contributory scheme which will ensure that everyone who has worked and contributed throughout his or her life will retire on an income above the minimum income guarantee level, which will mean that he or she has the full benefit of all their savings. There is no disincentive to save; we are increasing the incentive to save. I hope that Conservative Members agree that even the least well-off pensioners should share in rising national prosperity.

Mr. Lawrie Quinn (Scarborough and Whitby): Will my hon. Friend reassure those on low and modest incomes that the Government's proposals for modernising pensions will target them, and afford them the same support that the vast majority of people in this country get at the moment?

Mr. Timms: My hon. Friend is right. The state second pension will provide modernised support for people on low incomes, and will double the accrual rate on the state pension for people on £9,000 a year. It will treat people on incomes below that level as if they had been earning £9,000 a year throughout their working lives. That will be done on the basis of the existing 4.6 per cent. state earnings-related pension scheme contribution, without any addition. That is a very important step forward for people on low earnings—those about whom my hon. Friend is rightly concerned.

Welfare Reforms

13. **Mr. Desmond Swayne** (New Forest, West): What plans he has to ensure that his welfare reforms encourage self-reliance. [68018]

The Secretary of State for Social Security (Mr. Alistair Darling): We are building a modern welfare state, based on rights and responsibilities. We are actively providing opportunities and incentives to help people into work and to provide for themselves, and we are ensuring that work pays while providing security for those who cannot work.

Mr. Swayne: Although we can continue to debate the consequences of means testing, does the Secretary of State accept that the minimum pension guarantee will lead inevitably to an increase in means testing?

Mr. Darling: The logic of what Conservative Members are saying is that we should withdraw support altogether from people who have not managed to save any money. We do not believe that the prospect of leaving pensioners, or anyone else, destitute is acceptable. One of the problems that we have inherited is that a third of people who are now working are retiring on benefit. Over the years, the poorest pensioners have suffered a great deal, and we have introduced the minimum pension guarantee to help those who have nothing. We are providing also a guarantee for the poorest disabled people. Most people who look at what we are doing will realise that we are doing the right thing by those people.

We are proposing a framework that will mean that the majority of people who are working will accrue enough of a pension during their working life to retire on a decent income. In the pensions Green Paper, we have a coherent and workable strategy, which will mean that all those who can work throughout their lives and can save will retire on a decent pension. At the same time, we will not turn our backs on those who are unable to save, as the Opposition appear to be urging us to do.

Mr. Dale Campbell-Savours (Workington): Do not high rents and high housing benefit payments totally undermine self-reliance? Is not the real answer to the problem to find a way of dramatically cutting rents in this country?

Mr. Darling: My hon. Friend is right to say that the housing benefit regime is in need of reform, and he is no doubt aware that the Government are considering how to improve the situation, but he must recognise that the system that we inherited has grown up over about 25 years, and that it will be some time before we can announce our conclusions on how to implement that reform.

Mr. John Bercow (Buckingham): Further to the very pertinent inquiries from my hon. Friends the Members for Gosport (Mr. Viggers) and for New Forest, West (Mr. Swayne), why will not the Secretary of State, instead of blathering, simply admit the obvious truth—that the Government's pension proposals will massively increase means testing at the lower end of the scale, discouraging savings at the margins? He must surely admit that, in that sense, the policy that he advocates will be a penalty for self-reliance and not a reward.

Mr. Darling: I do not accept that at all. The whole strategy behind the Green Paper is to ensure that as many people as possible have the choice to save for their retirement. The hon. Gentleman will have to face up to the fact that without a change of policy, a third of people currently working would retire on benefit. The Government have decided that the policy needs to change, to ensure that, if people work for a lifetime, they can save and retire on a pension that is above means-tested income support. We believe that that is of considerable importance, but we will not turn our backs on those poorest pensioners who, for one reason or another, have not been able to save for their retirement. We have a comprehensive strategy for pensions, which the previous Government did absolutely nothing about for 18 years.

Benefit Integrity Project

14. **Maria Eagle** (Liverpool, Garston): What recent representations he has received on the benefit integrity project. [68019]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): We have received representations on various aspects of the benefit integrity project, from a variety of sources, including through discussions with the disability benefits forum. We have listened to those representations. On 28 January, my right hon. Friend the Secretary of State announced that the project would be cancelled from 31 March 1999 and replaced with a new, fairer system of periodic review.

Maria Eagle: I am grateful for my hon. Friend's reply, and many of my constituents who have come across the benefit integrity project will be grateful for its abolition, but they will also be concerned about what is to replace it. Can he assure the House that the new review system will deal much more with the individual needs of claimants instead of simply trying to force everybody on to the same form, creating all kinds of problems?

Mr. Bayley: Yes, we can give that assurance. The new system will be fairer because, unlike the system that we inherited from the Conservatives, it will allow benefits to be increased as well as decreased. It most certainly will consider the claimant's individual needs; the agency will have a much more personalised approach. The review process that we inherited for the benefit integrity project was designed by the Conservatives; we are developing the new process in consultation with the disability lobby, through members of that lobby on the disability benefits forum.

Mrs. Jacqui Lait (Beckenham): I understand that Ministers have said that some people are receiving disability living allowance who apparently have no medical reason for doing so. What is the Minister's estimate of the number involved, and how great is the problem?

Mr. Bayley: In perhaps about a third of the cases reviewed, the evidence was not there. I cannot be more precise than that because, as the hon. Lady will know, some cases are still under review through the adjudication system and the appeals system.

Personal Advisers

21. **Mr. Tony McNulty** (Harrow, East): If he will make a statement on the role of personal advisers in his plans for welfare reform. [68026]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Personal advisers currently operate successfully in the various new deals and have demonstrated that they can make an important and successful contribution, in assisting people to move towards the world of work and increase their independence. Under our proposals for a single work-focused gateway into the benefit system, all working-age claimants will be provided with a personal adviser, who will work with them to assess their job potential and provide access to a variety of help and information on work, benefits and services.

Mr. McNulty: I am grateful to my hon. Friend for that answer. Given the success of personal advisers in the new deal, will he assure me that personal advisers for the single gateway get the resources that they need for such a demanding job? While I am on my feet, will he ignore totally the carping and whingeing of Conservative Members, who giggled like schoolchildren when personal advisers and the success that they have achieved were mentioned earlier?

Mr. Bayley: It is important that personal advisers should be well trained for the demanding task that they face—and they will be well trained. They are making an important impact. The pilot schemes are at a fairly early stage and the lessons that we learn from them will help us to improve the training further.

Carers

3.30 pm

The Minister of State, Home Office (Mr. Paul Boateng): With permission, Madam Speaker, I should like to make a statement about the publication today of the Government's national strategy for carers. You will be aware that some details of our proposals are now in the public domain. It was our intention to publish an answer to a question this morning but, due to an administrative error, that did not prove possible. No discourtesy was intended to the House, and I have written to my hon. Friend the Member for Colne Valley (Kali Mountford).

The Prime Minister, on 10 June 1998, announced plans for a national strategy for carers, which he asked me to lead. The Government believe, as the Prime Minister himself said last June, that carers play a vital role in the community and also in supporting families. The national health service and social services could never hope to provide what carers contribute to the care of the sick and the vulnerable. The Government are determined to see that carers get the support that they need.

The Prime Minister said that the national strategy should bring together existing initiatives into a single package for the first time. We have done more than that. As I shall explain, we are announcing today a substantial new policy package for carers.

The work on the national strategy for carers has involved a large number of organisations—not only Government Departments and people from the NHS and local authorities, but individual carers, representatives of carers' organisations, and representatives of more specialised voluntary organisations which, for example, help people with mental health problems. We are grateful to all those who joined working groups and to those who attended a major consultative conference on the strategy held last November. I was glad to welcome to that conference hon. Members from both sides of the House, as well as Members of the House of Lords.

The policies of a large number of Government Departments impact on carers. The document published today involves all of them. We held, for the first time, two meetings of a ministerial group specifically established to consider carers' issues.

People who provide care for relatives or friends who are disabled, vulnerable or frail can devote large parts of their own lives to looking after others. Many of them are also in paid work. The majority of carers are women. All of them need some help and support. Our national strategy for carers describes what we have been doing, and what we are going to do. Carers will have better information; they will be better supported; they will be cared for better themselves.

Two thirds of carers of working age are in paid employment. For many of them, combining work with caring can be difficult. The Government's family-friendly employment strategy will help them. We will give carers the right to time off to deal with a family emergency. For example, a carer might need time to take his or her elderly parent to hospital, following a fall. The Second Reading of the necessary legislation, the Employment Relations Bill, is scheduled for tomorrow.

We have also considered carers who cannot combine paid work with caring. Many carers of working age would like to do so. Even more would like to be able to return to work when their caring responsibilities come to an end. We will consider the scope for extending the new deal to help carers to return to work. We will publicise the benefits—to employers, as well as to carers—of flexible, carer-friendly employment policies. We will consider our own position as a major employer and make sure that we set the highest standards for carers working in the public sector.

Carers also need support from the statutory services. That does not mean social services alone—all services need to provide carers with information and to involve them in the planning of services. Only in that way can services be more responsive to carers' needs.

The national health service has an important role in that respect. It must help carers to maintain their own health: half of all carers in a recent study said they had suffered from a physical injury since they began to care; and half said that they had been treated for stress-related illnesses. The Government's national priorities guidance to health and local authorities will require those authorities to help carers to maintain their health and emotional well-being.

The national health service must also provide information to help carers to care. They need to know about the health needs, treatment and medication of the person for whom they care. Of course, that can be done only with the consent of the patient, but sometimes doctors do not ask or explore that option. It is vital that patients' agreement be sought, and we believe that doctors should always do so.

We have already announced an extra £750 million for local authorities over the next three years to help them to promote independence, especially through greater partnership with the health service on prevention and rehabilitation. People who need care and their carers will benefit from that.

We are going further, by providing from within the comprehensive spending review plans £140 million of additional funding for England over the next three years specifically to help carers. It will be a ring-fenced special grant that will go to local authorities to extend the range of services that they provide to give carers a break from their caring responsibilities. The research evidence shows that carers who have a break are better able to cope and that their own health suffers less. The new special grant will total £20 million in 1999-2000, £50 million in 2000-2001, and £70 million in 2001-2002.

We also intend, when parliamentary time allows, to introduce new legislation to extend the powers that local authorities have to address carers' needs directly. At the moment, the focus of most of the legislation is on the person needing care. We want carers to have more control over the form and timing of the services that they need as carers. That is especially true of services designed to give them a break from caring.

The national strategy will also help some specific groups of carers. First, we are announcing today that there will be a reduction in council tax for some disabled people. Those who live in accommodation that is valued at band A and that has an extra room which they need because of their disability, or enough floor space to allow them to move around in a wheelchair, will receive a reduction in council tax similar to what is given now for the other bands. That change will be made from 1 April 2000. It is long overdue and it is only fair.

[Mr. Paul Boateng]

Secondly, we have particular concerns about young carers. The Government are taking extensive action to offer new help to children and young people and we are placing particular emphasis on supporting the most disadvantaged children and their families. Children who have to provide personal care to a parent may not even realise they are carers, but their attendance at school can suffer; they can also have difficulty doing their homework; and they often have no time for leisure, for play, or to meet their friends.

The Government will promote awareness of the needs of young carers. We shall encourage schools to make sure that there is someone to support them. That need not be a teacher—it could be someone else with the right skills and the time to develop special expertise. Children who are carers might need help to contact professionals in the health service, the social services, or a local project worker specifically for young carers. They need help and they need someone who is there for them.

There is also a group of children who need more care than other children of the same age. Their parents are especially in need of help and support: for example, they might feel unable to spend enough time with the rest of their family. We are increasing the help and support we provide to parents of a disabled child. We have already announced new objectives for children's services, which require local and health authorities to work together to meet the needs of disabled children.

Social services will get an extra £375 million to help them to meet the needs of vulnerable children. We are also introducing new children's nursing teams, in memory of Diana, Princess of Wales, to support those children who have life-threatening health problems. Those will cost £2 million a year initially, and we are establishing 10 teams around the country.

Many carers need help and support in the neighbourhoods where they live. In general, we believe that this is best provided by voluntary organisations. They are doing some wonderful work which, in the course of preparing the strategy, I was privileged to travel around the country and see at first hand. Many hon. Members on both sides of the House will be aware of that work in their constituencies. Carers' centres are but one example. They already exist in a number of areas and we want to make sure that all carers have access to a support service near where they live. The national strategy report also describes how we intend to make sure that carers get a high-quality service from such carers' centres.

The national strategy for carers contains a great deal of information about carers and their needs, but we lack information in some cases. That is why we will introduce a new question about carers in the 2001 census. The results of that new question will tell us, for example, how many carers are in each local authority area. The information will allow local authorities to plan much better how to provide services for carers in order to meet their needs.

The Government believe that what carers do should be properly recognised and supported. We—the Government—and the whole country should take pride in carers. The Government are determined to make sure that carers can feel proud of what they do and of a society that recognises the debt of gratitude that we all owe them for doing it.

Mr. Philip Hammond (Runnymede and Weybridge): I thank the hon. Gentleman for his statement and for his courtesy in letting me have a copy of it in good time. The Opposition welcome any additional support for carers—the great silent army that, quite literally, props up our social care system. We believe that the family is the best mechanism for delivering support to the elderly, the disabled and the frail wherever that is a practical reality.

To support those family carers who give of their time so selflessly is not only a moral obligation on society but the most basic form of economic common sense. Care in the family, where that is possible, is often the best solution for a vulnerable person and for society as a whole. However, we recognise that those benefits have too often been at the expense of the carers. We welcome the tone of the hon. Gentleman's statement, but as so often, there is a gap between the rhetoric and the reality. Much of the statement is a recycling of announcements that have already been made, and still more of it consists of an announcement of further consultation.

Carers come in all shapes and sizes and we cannot generalise about them. However, we know that the majority are women, many of whom are married. The Government's tax and benefits policies have hit single-earner couples—who already bear a disproportionate share of the tax burden—particularly hard. Should the Government not consider the advantages of transferable tax allowances to ease the burden on those couples where one partner voluntarily gives up the opportunity to earn in order to take on a caring responsibility?

Many carers are pensioners and still more are seeking to make pension arrangements for their retirement while continuing their caring responsibility. The Government have announced a further consultation on second pensions for carers that might lead to carers being £50 or so better off in 2050. At the same time, the Government have hit all pensioners with their £5 billion pension tax and the poorest small savers—of which 300,000 are pensioners—through their mean-minded abolition of dividend tax credits for non-taxpayers.

It is a case of jam tomorrow and nothing today. Which generation of carers is the Government's policy supposed to help? What can the hon. Gentleman say to carers who are 40, 50 or 60 today and have made inadequate provision for their retirement?

The hon. Gentleman has recycled earlier announcements of £750 million for promoting independence and £375 million for vulnerable children. The rhetoric from the Dispatch Box about the improved co-operation between health and social services, the legal duties of partnerships, and the demolition of Berlin walls sounds impressive, but health authorities and social services departments, certainly in London and the south-east, are experiencing squeezed budgets—the hon. Gentleman's rhetoric will ring hollow there. With the best will in the world, the grand vision cannot be realised in areas where the resources available are under concerted attack by the Government.

The ring-fenced special grant for respite care is welcome. The chance of a break from their responsibilities is probably the need most often cited by carers, but in many areas, social services departments and health authorities are already cutting back on the support that they are able to give to the voluntary sector. So long as budgets are under such pressure, how can the Minister ensure that the ring-fenced grant does not merely substitute for existing funding, often via voluntary organisations that currently provide respite care?

I have a couple of specific questions, and I should be grateful to the hon. Gentleman for responses to them. I particularly welcome his reference to young carers. Many young carers projects are doing excellent work throughout the country but are precariously funded. Local authorities facing difficulties of their own are often unable to fund worthwhile voluntary organisations. For example, the joint finance funding that supports the Sheffield young carers project will run out in March 2000 and the national lottery grant that supports the project will run out in September 2000. There will be no more joint finance for that project because the Government have abolished joint finance from next year.

What assurance will the Minister give the Sheffield young carers project about the security of its funding for the future? Will the Minister identify where the additional funding that he has announced today for the ring-fenced grant will come from? How much will come from sums that have already been announced within other spending totals, and how much is new money?

We welcome the emphasis that the Minister placed on carer-friendly employment policies. Do the Government have concrete proposals specifically dealing with carers to encourage such policies on the part of employers, public and private; or will the hon. Gentleman rely on exhortation?

There was no mention in the statement of training for carers, which the hon. Gentleman will agree is important. I should be grateful for his comments on support for training for carers.

We welcome the focus that the statement places on the needs of carers. We support the principles that the hon. Gentleman has outlined, but in many cases and for many people, what he has announced today gives back with one hand what the Government have already taken away with the other. How will the fine words translate through the mechanisms of budgets, health authorities and social services departments into benefits for carers?

Mr. Boateng: I welcome the hon. Gentleman's response in so far as it went, but it did not go far enough and sounded increasingly churlish towards the end. He referred to a gap between rhetoric and reality. There is a gap—it is the Conservatives' gap and it lasted 18 long years. We are now filling that gap by making changes to carers' lives and delivering what they are entitled to expect by way of society's recognition of the debt of gratitude that it owes them.

That means a new emphasis by the NHS on training, and the NHS will be taking that on board. Much of what we can do to help carers is practical, sensible and long overdue. One example, which the hon. Gentleman ought to recognise, is the problem of back pain for carers which could be overcome if they were better trained in lifting. At the moment, that is not done. My hon. Friend the Under-Secretary of State for Health will ensure, as he takes the strategy forward, that it is done.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked about money. We are only too happy as a Government to take pride in the fact that, next year, spending on social services will increase by £503 million. That is new money, which would not have been provided if that lot on the Conservative Benches had been in power. In addition, we announced today £140 million of new money for practical policies to support carers. That is why the Carers National Association has described this strategy and this Government's approach as a momentous leap for carers. That leap came with Labour; carers would have got nowhere under the Tories.

Mr. Tom Clarke (Coatbridge and Chryston): Is my hon. Friend aware that nothing said from the Opposition Benches can detract from the excellence and warmth of his statement, which I think will appeal to millions of carers in Britain? Has departmental consultation included the Scottish Office, the Welsh Office and our colleagues in Northern Ireland? May I remind him that a section of the Disabled Persons (Services, Representation and Consultation) Act 1986 deals with carers? The previous Government had 11 years to implement it, but did not. I hope that my hon. Friend will consider it helpful in coinciding with and encouraging the main thrust of his excellent statement.

Mr. Boateng: I thank my right hon. Friend for his kind words of welcome. He brings enormous expertise to this area, not least from his period as our spokesperson on disability matters. He will be glad to know that we are in close contact with right hon. and hon. Friends in the Scottish Office, the Welsh Office and the Northern Ireland Office, all of whom have contributed to the development of the national strategy. I have no doubt that they will bear in mind his points when matters are advanced in the devolved Parliament in Scotland and the Assemblies in Wales and Northern Ireland.

Mr. Paul Burstow (Sutton and Cheam): I thank the Minister for his courtesy in allowing us to look at the statement and the strategy before his announcement. We very much share the view that carers play a vital role which, for too long, has been given inadequate and insufficient attention. Much good practice in the national strategy needs to become the norm. Gathering it together in this one place and highlighting the gaps is a very welcome initiative, which we on the Liberal Democrat Benches certainly support.

We must consider not just the fact that carers save the nation £3 billion, but that they bring an extra quality of life to the loved ones whom they look after and support. Does the Minister therefore accept that the strategy's success hinges on the many thousands of people who are carers but remain uncounted and unsupported? How will the strategy address those hidden carers, about whom the agencies do not yet know? As many as eight out of 10 carers have not yet been assessed by social services departments. How will the Government ensure that such assessment proceeds apace, given that, on Treasury figures, social services departments will be £100 million short in their core budgets in the coming year? How can support and assessment go forward on that basis? I would be interested to hear the Minister say how.

Millions of pounds of benefits to which carers are entitled go unclaimed each year. Will the Minister therefore look again at how, through partnership with

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local government, about which the Government often talk, and through local authority mailing and the Benefits Agency, we can ensure increased take-up of council tax carers discount, which is going unclaimed in very large amounts?

The tax and benefits system penalises carers, and the rules for invalid care allowance do not recognise the extra and on-going costs of caring. The strategy says nothing about reform of the invalid care allowance. When will Ministers outline much needed and long overdue reforms to that benefit, turning it into a genuine carer's benefit?

Will the Minister accept that the Government have raised expectations today? They should raise expectations that there will be new initiatives to support carers—they are long overdue. However, today's statement, at its most generous, gives carers an extra 15p a week. I hope that the Minister will recognise that 15p a week may be being oversold today, and that the Government are underfunding carers' needs.

Mr. Boateng: Call me partisan, but it would have been nice to receive at least a word of recognition and thanks from the hon. Gentleman for the £496,000 of new money that we are giving his local authority to meet the needs of carers—money that it would not have had before.

However, the hon. Gentleman makes some serious points. We do regard the collection of information about carers' needs as a priority. Some 60 per cent. of carers have no contact with other agencies as carers. Many do not recognise themselves as carers. We must find new ways of reaching out to them, to ensure that they get their due. We are introducing a census question to give us a better handle on where carers are and what their needs are. That is a small, practical measure; why was it not taken years and years ago?

We do not intend to leave it at that. We intend the NHS and social services to work alongside the voluntary sector and with the private sector to present these issues, especially on carers and employment. We envisage that a promotional campaign on carers and employment, led by the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Barking (Ms Hodge), will make an important contribution to the initiative.

We are therefore not only making available new money, which is not, as the hon. Member for Sutton and Cheam (Mr. Burstow) would suggest, inadequate, but ensuring that a raft of policies is put in place to meet carers' needs; even more important, we are ensuring that, as new policies are developed in this and other areas, carers' needs are at the heart of what we do, in addition to the needs of patients and users.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my hon. Friend aware that this is the first attempt in a targeted and vigorous manner to reverse years of neglect of carers, and, as such, it will be warmly welcomed by those who find themselves in that position? Tonight, many people will be very grateful to him and the Government for what he is trying to do. Will he, however, ensure that he does not follow a wholly unacceptable Tory practice? Will he pay careful attention to those carers who currently receive voluntary support, if it is available, but who may need much more professional help? Will he promise me that he will look at how things are working?

Mr. Boateng: I am much obliged to my hon. Friend. Of course she is right. We must ensure that we have the sort of professional interventions that are necessary to meet carers' needs, and we must recognise the value of partnership between the voluntary sector and the statutory sector. It is a question of ensuring that each contributes that which it is best equipped to give, and we shall ensure that that is done. We have also learnt from the voluntary sector that there exists, in the wider community, a degree of commitment to and wisdom about the practical needs of carers which we need to make better use of in the statutory sector. I promise my hon. Friend that this Government—her Government, our Government—intend to do so.

Sir Nicholas Lyell (North-East Bedfordshire): Will the hon. Gentleman accept that we on the Opposition Benches strongly welcome all genuine extra support for carers, and that in so far as his statement provides it, we welcome it? However, before history is rewritten, will the hon. Gentleman be kind enough to write to me to confirm the many billions of pounds of extra money every year that were provided by the previous Government over 18 years? I remember vividly when I was a junior Minister with responsibilities for social security that by 1987 the sum had risen to an extra £6 billion a year for disabled people and their carers.

Will the hon. Gentleman confirm also that, taking the latest local authority settlement, Bedfordshire county council, for example, must find an extra £10 million worth of cuts before it begins because of the money moved away from counties such as Bedfordshire? What will the hon. Gentleman say to carers such as members of the Biggleswade carers society, who are deeply anxious, and rightly so, that there should be extra care with respite support? How often per year, per three years or per five can they expect some practical help from this extra money, which seems to come to less than £10 a year for a carer?

Mr. Boateng: The right hon. and learned Gentleman seems to be suffering from a degree of amnesia in this area. It must be said in fairness that right hon. and hon. Members on the Opposition Benches singularly failed when they had the stewardship of our nation's affairs to give carers the focus that they are now being given. The right hon. and learned Gentleman must at least own up to that. I hope that he will point out to the good folk of Biggleswade in his constituency that they will benefit from an additional £836,000 that they would never have received had he continued to sit on the Treasury Bench—and for that they should be thankful.

Mr. Malcolm Wicks (Croydon, North): This is an historic day for Britain's carers. It is a special and important day for 6 million people who provide care worth more than £30 billion. Does my hon. Friend agree with me that when he meets carers he is struck by their extraordinary sense of responsibility and duty and by the fact that for that they often pay a price in terms of extraordinary stress, poverty in old age and sometimes physical or mental breakdown?

Given that the great thing about the document produced by the team so ably led by my hon. Friend is its cross-departmental nature, will he nevertheless give heed to the work of Florence Nightingale, who once observed that reports are not self-implementing? Although there are good things in the report that are very specific, much of the rest of the document properly relies on aspirations, good practice and the rest.

Will my hon. Friend therefore consider, not necessarily today, how we can monitor this great comprehensive strategy so that this Parliament and carers can be certain, as Opposition Members have said perfectly properly, that good rhetoric is matched by good practice, as I expect it to be?

Mr. Boateng: The whole House always listens closely to my hon. Friend on matters relating to carers, knowing full well his enormous contribution, in the form of private Members' legislation and subsequently, to their welfare. He makes an important point about the contribution of the entire ministerial team across government to the development of this strategy. I pay tribute to the members of that team and to their officials for the contribution that they have made.

I have no doubt that my hon. Friend the Under-Secretary of State for Health, who will be carrying forward the strategy, will want to ensure that the commitment and drive are continued. There is no doubt about the commitment of my right hon. Friend the Prime Minister to carers' needs and concerns. My hon. Friend need have no fear; Florence Nightingale is an example to us all and the wick in her lamp will not be allowed to burn itself—*[Laughter.]* Well, it is a try. It will not be allowed to burn itself out. If it seems that it might, I have no doubt that my hon. Friend will be there to keep it alight.

Mrs. Angela Browning (Tiverton and Honiton): Will the Minister recognise that, although he is right to say that a proper assessment of need throughout the country should be undertaken, in some parts of the country that process has already been taking place? Many carers have been at meetings, filled in forms and identified their needs.

Will the hon. Gentleman ensure that the resources that he has announced today are not sapped by yet more forms designed to ascertain what I am sure many social services departments already know but fail to deliver? Will he recognise that one of the greatest pressures on carers is applied if the needs of the people for whom they are caring are not appropriately met? Around the country, social services departments are making those people pay for services that they previously received free of charge. That will be a terrible pressure on the people who look after them.

Mr. Boateng: The hon. Lady speaks with a great depth of knowledge and is respected in all parts of the House for her contribution to caring and carers. I am grateful for her remarks.

We must make sure that we get right the mechanisms for consultation with carers. That has not always been done as well as it ought to be. Part of our strategy for getting health and social services to work that much better together is to make sure, for instance, that the work being done in relation to health improvement plans and the role of primary care groups and GPs is informed by carers' needs, concerns and opinions.

The hon. Lady is right. We need to improve consultation. We shall make sure that the additional resources being brought to bear on the problem are spent wisely and effectively, and that the spending is properly monitored. That is why I set great store by the new accreditation scheme mentioned in the national strategy. It will involve the voluntary sector in accrediting carers centres to make sure that the public get value for money. That is extremely important. I accept entirely the hon. Lady's point about the importance of consultation and the need to make sure that carers are central to it.

Mr. Tam Dalyell (Linlithgow): I welcome what was said about young carers. Some of us, at our surgeries, are simply appalled by the pressures put on youngsters of 12, 13 or 14 who have to undertake caring duties, often for single-parent families, that make the mind boggle. What is meant in the statement by the words:

> "We shall encourage schools to make sure that there is someone to support them. That need not be a teacher—it could be someone else"?

Have there been discussions with the teaching unions about that?

The statement goes on:

> "Children who are carers may need help to contact professionals in the health service, the social services, or a local project".

What will be done to help local authorities in this matter?

Mr. Boateng: My hon. Friend is right to highlight the special needs of young carers. We want to make sure that we do not impose a straitjacket on the way in which a school determines that those needs should best be met. Someone in the school office, with an administrative grasp and overview, may be better placed than a teacher to see the entire picture and to make sure that the form master or mistress is aware of the young carer's needs. That concern may initially need to be addressed centrally.

The Under-Secretary of State for Education and Employment, my hon. Friend the Member for Barking (Ms Hodge), and my right hon. Friend the Minister for Public Health have particularly in mind a role for the school nurse and for the school, as part of its wider liaison with the NHS, to pick up the special health needs of young carers.

Of all the individuals and groups whom I have met during the preparation of the strategy, none have impressed more than young carers—eight-year-olds and sometimes even younger children who take responsibility day in, day out for the care of a parent. The least that we can do is to ensure that they get support in doing that.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The document is most welcome and plugs an important policy gap. Following on from the previous question, would it not be better if there were a slightly more rigid approach to assistance for young carers via the school? Leaving it to individual schools may not be adequate. For example, there are many schools without school nurses. The circumstances are so varied. Would not central monitoring be preferable, to look at each situation as it develops?

Mr. Boateng: My hon. Friend the Under-Secretary of State for Education and Employment is certainly

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concerned to ensure that the guidance and the guidelines that we put out to schools refer to the needs of young carers. We are currently consulting—not only as part of the Green Paper process, but directly in relation to this strategy—the unions and others about the form that that guidance should take.

The flexibility within the school community is important, and I am sure that the hon. Gentleman wants us to bear that in mind, but we need to ensure that schools get a handle on the problem. There may be, in the fulness of time, room for the inspectorate—and, indeed, for the local authority—to engage in that process; but, first, it is vital that we get out guidance that meets the needs of those young people. They are not being met at the moment—we recognise that—but all concerned are determined to change that.

Mr. Vernon Coaker (Gedling): Across the country there will have been a sigh of relief among carers in respect of the statement, which supports them in their most valuable work. Will my hon. Friend ensure that the work of the voluntary sector—and groups such as the Gedling Take-a-Break Carer group and the Alzheimer's Disease Society, which work alongside groups with statutory entitlements—is supported? The invaluable work that those organisations do to support carers and those in need of care cannot be underestimated. We need to ensure that their valuable contribution is fully recognised in any proposals.

Mr. Boateng: I had the opportunity to meet representatives of the voluntary sector in my hon. Friend's constituency when I was in Gedling a couple of weeks ago. I was struck by the strength of local infrastructure, in relation not only to caring but to a wide range of initiatives that required better and closer partnerships between the statutory and the voluntary sectors.

We need to build on the experience of these organisations—not only the Alzheimer's Disease Society, which my hon. Friend mentioned, and the Parkinson's Disease Society, but Crossroads, the Carers National Association and the Princess Royal Trust for Carers. Those organisations were doing such work long before it became fashionable and when carers' needs were by no means centre stage, as they are now. They have developed expertise and they bring to this area something that, in my view, only the voluntary sector can bring. We have to make sure that they receive the recognition and support that is their due; my colleagues on the Front Bench and I will be doing just that.

Mrs. Virginia Bottomley (South-West Surrey): I, for one, want to welcome a statement on carers. Recognition of carers and their interests is essential, and for the Government to play to their strengths and to be involved in promotion and publicity in this area is a step forward in itself.

I declare my interests, which go back 20 years, although they do not go back 30 years to the Rev. Mary Webster. For many years, I was the late Baroness Sear's vice-chairman at the Carers National Association, and am currently a vice-president. I am president of the Isle of Wight branch, which I founded, and am closely involved in the Guildford and Waverley branch.

There is a crisis of confidence, and I ask the Minister to take one specific step. Please will he write to me setting out the detail of how the home counties, and Surrey in particular, are to cope? They have had the £6 million transitional grant for community care confiscated and their increase for health is the lowest in the country. People are living longer and many live alone. The error that they commit is to be healthy and long lived. That penalises them in the Government's funding formula, and the anguish at present in Surrey is such as I have never previously known it.

I welcome the statement, but please will the Minister—to clarify that point—respond to me, identifying how Surrey is to cope in the light of the savage social services and health settlements?

Mr. Boateng: The new partnership grant does not represent the confiscation that the right hon. Lady suggests. That, if I may say so, is a travesty of the truth and does her little credit.

Of course I recognise the right hon. Lady's commitment and contribution, over many years, to this particular subject. I will certainly write to her. I have had the opportunity of visiting carers in Surrey and have formed a clear view of the considerable contribution that the voluntary sector makes.

I have good news for the right hon. Lady. The programme of work that we are initiating in this area has the support of those engaged in care in Surrey and elsewhere. There is no crisis of confidence in the Government's determination to put social services on a secure foundation—which they singularly lacked under the right hon. Lady's stewardship—and to take forward this initiative and agenda for carers. This important step must not be undertaken in an atmosphere of party political acrimony, so I am only too happy to write to the right hon. Lady.

Mrs. Sylvia Heal (Halesowen and Rowley Regis): I welcome the statement and congratulate my hon. Friend, his team of Ministers and the many carers who contributed to this strategy and to the document. In addition to their caring roles, they are often called upon to participate in policy making, which they welcome and which proves to be of value.

I am particularly pleased that, at long last, the position of children and young people who are carers is being recognised. Perhaps it is right to declare an interest: immediately before coming to the House, I was employed by the Carers National Association. I am pleased that its campaigning work, along with other organisations, has at last brought about this important step.

When the census forms are completed, will young people undertaking caring roles in the family be identified? If adult carers have been the hidden army, young people have been even more disguised and lost in the system.

The Government are encouraging awareness raising by other Departments. Will the Minister ask his colleagues in the Department of Health to ensure that GPs and primary health care workers participate in the training programme? In many cases, a carer's first contact is the family doctor or the district nurse.

Mr. Boateng: My first memories of my hon. Friend were of someone who was leading the voluntary sector's work with carers, especially young carers. She is right about the need to get better at identifying young carers. We hope and believe that the census question will assist in that, but it is important also to recognise the role that GPs, health visitors and other health professionals can play in helping us to identify young carers. Young carers are more willing to approach those people and share their concerns with them, because they are not seen as judgmental or likely to raise the possibility of social service intervention, which young carers fear.

We must use health service and other professionals, and we must give young people a sense that they can identify themselves as carers without anyone being judgmental of them and their parents. Young carers have told some horrific stories. This morning at No. 10, a young carer aged nine told of being stood up in front of a class and identified as a carer, which was the last thing on earth she wanted to happen.

We must ensure that when we identify young carers we respond to them sensitively. We must encourage them to come forward to get the help that they so richly deserve.

Mr. Andrew Rowe (Faversham and Mid-Kent): The Minister will know as well as anyone that one of the most useful things for carers is to be able to count on relatively simple but regular substitution or assistance, so that they can have some respite to go to the hairdresser's or whatever. The Minister may also be aware that there is an increasing determination among the Churches of this land to make themselves a great deal more effective in intervening to assist their communities—this strategy being based around the millennium.

Will the Minister undertake to consult the Churches at this early stage in their plans, to establish the extent to which regular, reliable, voluntary assistance can be built into those plans? By doing so, he will make available possibly as many as 5 million volunteers.

Mr. Boateng: I entirely accept what the hon. Gentleman has said. Indeed, last Friday I had the privilege of presenting our strategy to His Grace the Archbishop of Canterbury, who received a copy of our document today. We have embarked on the process. We see the Church and, indeed, other faith bodies as partners in the task. They are already doing great work, and together we can do even better.

Point of Order

4.21 pm

Mr. Nick Hawkins (Surrey Heath): On a point of order, Madam Speaker, of which I have given you notice. As you know—you have been in the Chair on a number of occasions when I have raised the matter here—one of the biggest issues in my constituency is the future of the building housing the staff college, which is probably one of the most significant military sites in the world.

Over the past 20 months, I have repeatedly asked Ministers, in both written and oral questions, about their plans for the building's future. Initially, I received a series of answers saying, "We will let the hon. Gentleman know shortly": it was always "shortly, shortly, shortly". Then, about six months ago, the nature of both oral and written answers changed. The Secretary of State and other Ministers said, "No plans have yet been put to Ministers."

It was therefore with considerable shock that, last Friday, my constituents and I read the main story on the front page of our local newspaper. According to that story, there was a proposal to consider converting the staff college into luxury flats or a corporate headquarters. Not only is the building on a secure site, and enormously significant because the royal military academy, Sandhurst, is next door to it—the secure area covers the whole site—but it contains war memorials. A Ministry of Defence spokeswoman is quoted extensively.

I thought that you, Madam Speaker, might have had an indication that a Minister might wish to apologise to the House for the fact that the news emerged from an MOD spokeswoman who was quoted in the press, and for the fact that no information was given to the House of Commons, the other place or the constituency Member involved, namely me. Can you tell me, Madam Speaker, whether you have had any such indication, or how I can best pursue the matter on behalf of my constituents, who are very angry?

Madam Speaker: I am grateful to the hon. Gentleman for giving me some idea of his point of order, and for allowing me to see the press report to which he has referred. As he and the House know, I make no comment on press statements or press reports, nor am I aware that a Minister is ready to make a statement on the matter in the House. I am, however, aware of the questions that the hon. Gentleman has asked. My guidance is this: he should continue to ask questions in the House, or raise the issue on the Adjournment. He must pursue the issue by parliamentary means.

BILL PRESENTED

Access to Environmental Information Bill

Mr. Matthew Taylor, supported by Mr. Alan Simpson, Mr. Peter Bottomley, Mr. David Chaytor, Mr. Cynog Dafis, Mr. Norman Baker, Mrs. Helen Brinton, Mr. Andrew Stunell, Mr. David Lepper and Mr. Jeremy Corbyn, presented a Bill to extend the right of citizens to information concerning certain activities which may affect the environment; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 26 February, and to be printed [Bill 41].

Orders of the Day

Social Security Contributions (Transfer of Functions, Etc.) Bill *[Lords]*

Order for Second Reading read.

4.23 pm

Mr. Quentin Davies (Grantham and Stamford): On a point of order, Madam Speaker. Before we start the debate, I should draw your attention to a rather serious matter. The explanatory notes relating to the Bill, which have been distributed throughout the House, contain the following important statement:

> "The Chancellor of the Exchequer announced in his Budget speech on 17 March that the CA"—

the Contributions Agency—

> "and its operational functions would transfer from the DSS to the Inland Revenue in April 1999".

The notes continue on the basis that the decision has already been made.

Once again, the Government are taking Parliament for granted. They assume that they can announce decisions when Parliament has made no such decisions. Would not a slightly greater degree of democratic modesty be becoming on the part of the Government, even if they do have a vast majority at present?

Madam Speaker: The hon. Gentleman is aware that that is not a matter for the Chair.

4.25 pm

The Secretary of State for Social Security (Mr. Alistair Darling): I beg to move, That the Bill be now read a Second time.

As the hon. Member for Grantham and Stamford (Mr. Davies) says, the Chancellor of the Exchequer announced in his last Budget statement to the House that the Contributions Agency would transfer from the Department of Social Security to the Inland Revenue in April 1999. He did so because it is normal to announce such things in Budget statements to the House. Most impartial observers will think that the Chancellor did entirely the right thing.

Mr. Davies: Will the right hon. Gentleman give way?

Mr. Darling: Not at the moment.

The transfer that the Chancellor announced is provided for by the Bill. Perhaps I will give way now because I want to refer to something completely different, as they say.

Mr. Davies: It seemed the right moment to intervene again to try to set the record straight. What the Chancellor actually said in his Budget statement, perhaps ill-advisedly, was that he had already agreed with the right hon. Member for Camberwell and Peckham (Ms Harman), the right hon. Gentleman's predecessor, to make that transfer. Presumably, the Chancellor did not realise at the time that primary legislation would be required, which the Government are now introducing. Now that the Government have discovered that such legislation is required, it is not for them to assume what Parliament's decision on the Bill will be.

Mr. Darling: If the hon. Gentleman looks at the accompanying press releases that are traditionally issued with Budget statements, he will find that it was always anticipated that primary legislation would be required, so that is not a good point. Perhaps he has some other points to raise in the debate. I hope that they are better than that one.

The House will be aware that, at the moment, national insurance contributions are administered by the Contributions Agency, which is part of the Department of Social Security. Income tax is administered by the Inland Revenue. The reason that NICs are collected separately from income tax goes back to the origins of the modern welfare state. Those historical divisions are no longer sensible.

In 1948, workers did not begin to pay tax until they were close to average earnings. On the other hand, national insurance was designed as a universal, flat-rate scheme, so nearly all workers paid their national insurance stamp. Many had no contact with the Inland Revenue.

Two developments have changed that. First, in 1961 and again in 1975, contributions by employees and employers became earnings-related. Because of that, a majority of NICs began to be collected under the pay-as-you-earn system. Profit-related class 4 NICs for the self-employed were introduced and collected alongside schedule D income tax. As a result, the Inland Revenue now collects 94 per cent. of NICs and the Contributions Agency collects only about 6 per cent. of NICs, principally the flat-rate class 2 charge on the self-employed.

Secondly, more and more of those paying NICs are also paying income tax. Eighty per cent. of employees who pay NICs also pay income tax.

Mr. Andrew Rowe (Faversham and Mid-Kent): Surely the right hon. Gentleman is really admitting what Governments of all persuasions should have been prepared to admit many years ago, that the term "national insurance" is a complete con. It was never a serious insurance scheme. It has never provided any serious insurance against misfortune. It was merely a form of taxation, whatever its original intentions were. Would it not be more sensible to abolish the term altogether?

Mr. Darling: As the hon. Gentleman knows, the national insurance system, which was established in 1948, was conceived by its authors as a type of insurance. Of course, it is not insurance as most people understand it today, in that it is funded as a pay-as-one-goes system. The contributions that are paid today depend on the taxpayers of today, not on contributions that were paid perhaps 10 or 20 years ago, but the idea was that, if people paid into the national insurance fund, they would receive certain benefits.

Of course, most of the benefits that people receive are pensions; the vast majority of the contributions go on them. The national health service, which I suspect many people think is partly funded by national insurance contributions, is financed largely by current taxation. However, that is not the point that I am arguing today.

All I am saying is that, although one can understand why historically, over the years, national insurance contributions and tax were treated differently, I do not believe that the case for such treatment endures.

The hon. Member for Faversham and Mid-Kent (Mr. Rowe) said that successive Governments have perhaps not rationalised the system. I do not disagree with him, but whether previous Governments were, at the time, right not to rationalise does not matter. The point is that, today, the current Government are dealing with what we consider to be an anomaly. Moreover, the developments that have led to closer co-operation between the Contributions Agency and the Inland Revenue have made change necessary.

Closer co-operation has already brought some benefits to business. For example, a joint annual information pack has been provided for employers and a single leaflet and registration pack has been provided for the newly self-employed. However, such benefits can take us only so far. Employers still have to deal with separate Departments on their tax and national insurance contribution queries. The Government therefore believe not only that we can go further, but that we should go further.

In our Green Paper on welfare reform, we stressed the importance of a modern system of delivering government—a system that is not only flexible and efficient but easy for people to use. Too often, our current procedures are designed for the convenience of government and not for the convenience of the public.

Employers do not understand the logic of keeping separate the administration and structure of national insurance contributions and tax. Just over 1 million employers are liable to pay national insurance contributions for their employees, and have to deduct both tax and national insurance contributions from employees' pay. However, they have to cope with two separate sets of rules. Moreover, if they have questions, they have to deal with two separate Departments. Those starting out on their own—perhaps starting up their own business or in other self-employment—also have to deal with separate Departments on tax and on national insurance. I therefore believe that the case for change is overwhelming.

I should tell the hon. Member for Faversham and Mid-Kent that Ministers are not the only people who believe that change is inevitable and right. Last week, in the Opposition Supply day debate on pensions, the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) had some fun with the fact that, for some reason, my name had not been included in the list of those who supported the Government amendment to the Opposition motion. I can tell the House that whoever was responsible for the omission was, apparently, very contrite about it—not that it bothered me. Nevertheless, as the hon. Gentleman raised the point, I thought that I should take the trouble—which, I must confess, I do not always take—to read the Opposition's so-called reasoned amendment to today's motion. I noticed that one name was missing from their list.

The omission struck me as curious, given the nature of the proposals to transfer the Contributions Agency. Moreover, when I noticed the missing name, I was reminded of the deregulation task force, which was established by the previous Government. I therefore looked at the task force's report for 1994-95—here it is, with a nice red strip across it, and with an illustration of scissors cutting red tape—and found something very interesting. On taxation and national insurance, the report states:

> "Ministers should commit themselves now to a merger of the field forces of the Inland Revenue and Contributions Agency. Apart from saving public money, this would eliminate the burden of double accountability and interference for employers, and reduce the time needed to cope with workplace taxation."

It continues:

> "This issue has been endlessly debated in Whitehall. A decision should be made now."

That is all good, sensible stuff.

As I thumbed through that piece of bedtime reading, I was interested to see that, on page 3, it was signed by someone called "Maude". I began to ask myself whether that was not the same Maude who is now the shadow Chancellor. It was the very same one—the right hon. Member for Horsham (Mr. Maude)—and his name is not listed in support of today's Opposition amendment. I suspect that it has been omitted because the shadow Chancellor—having so cogently made the case for transfer only a couple of years ago—might be in some difficulty if he included his name in favour of an Opposition amendment that opposes the transfer of the Contributions Agency.

It is curious that Conservative Members oppose the Bill whereas it was not opposed in the other place—where, as we know, the Conservatives have a 3:1 majority over Labour. What is more, its thrust to transfer the Contributions Agency to the Inland Revenue was warmly endorsed by the shadow Chancellor when he was formulating the deregulation task force. Why are those Members opposing it today? It is clearly because of the difference of opinion between the shadow social security spokesman and the shadow Chancellor. I read that the Leader of the Opposition is off to America to look for some good ideas. That is not surprising. Before he goes, perhaps he might like to end the confusion among his colleagues, who clearly do not know whether they are coming or going.

Mr. Iain Duncan Smith (Chingford and Woodford Green): There is no confusion. My right hon. Friend the shadow Chancellor will demonstrate that when he votes tonight. [HON. MEMBERS: "Where is he?"] I am sure that he wants to join us as soon as possible, but he has been somewhat delayed.

In 1995, my right hon. Friend the Member for North-West Hampshire (Sir G. Young), now shadow Leader of the House, comprehensively dismissed the argument once he had looked at it, saying that it was not feasible or worth while. The Secretary of State should check *Hansard* a little more rigorously.

Mr. Darling: I am sorry if yet another Conservative has sought to rubbish the good work done by the right hon. Member for Horsham. What was good enough for him in 1995 must be good enough for him today. I dare say that even now frantic telephone calls will be going out to get the man into the Lobby tonight, perhaps to spare his blushes. If he is watching the debate on the monitors, he will see that there is plenty of room on the Conservative Benches. If this is a great issue of principle for the Conservatives and they think that what we are

[Mr. Darling]

doing is wrong, evil and an example of the heavy-handed government that they are always criticising, more of them should have turned up. I understand that they are having trouble getting speakers.

Mr. Duncan Smith: There are not many Labour Members here.

Mr. Darling: As ever, my right hon. and hon. Friends agree with what the Government are doing. Whatever the Government are doing, they are right behind us.

The Government's proposals are supported by business across the board. The Institute of Directors, the Chartered Institute of Taxation, the British Chambers of Commerce and the National Association of Pension Funds—

Miss Anne McIntosh (Vale of York) *rose—*

Mr. Darling: I shall give way in a moment. All those organisations believe that the Bill will reduce burdens on business and individuals by enabling them to sort out their taxes and contributions through a single organisation. Will the hon. Member for Vale of York (Miss McIntosh) tell us what is wrong with easing the burdens on business and simplifying the way in which the Government go about their business?

Miss McIntosh: I do not wish to detract from the speech that I hope to make later. Will the Secretary of State help me? We seem to be reading different messages from the same businesses. The same United States companies that he believes welcome the Bill have told me that if the programme is on PAYE the Government must make a contribution to the cost from the money that they will be saving. Giving evidence to the Social Security Committee for its first report of this Session, the Institute of Directors clearly said that the measure would be an unacceptable burden on business. Some of us referred to that last week. Are the Government considering an alternative to putting such a burden on business through PAYE?

Mr. Darling: I may be wrong—if I am, I shall deal with the issue later—but I think that the Institute of Directors was talking about a different measure. The IOD thinks that bringing together the Contributions Agency and the Inland Revenue is good because it lifts burdens. It is easier for business to deal with one body rather than two. The Bill will also enable the two Departments to combine their efforts to improve their service to customers, which is important.

Although full operational integration in both Departments will take some time, plans are already in place to improve service. Employers will begin to see a better service from April. They rightly complain about getting two visits to check their payroll records from inspectors who ask much the same questions—one from the Contributions Agency and one from the Revenue. From April, we shall provide a single audit examination of PAYE and national insurance contribution records. We are also integrating customer assistance teams from both Departments from April to support business while providing unified training and education on tax and national insurance contributions. We shall produce single leaflets on both matters from April.

Mr. Steve Webb (Northavon): I am sure that the Secretary of State is familiar with the work of my former colleagues at the university of Bath on the burden of income tax and national insurance on firms. Firms said that most of all they wanted a single tax—not just unified administration, which we welcome, but one tax in place of two sets of rules. The Bill is a welcome step towards that. How much further down that track does the Secretary of State expect to go?

Mr. Darling: All that the Bill does is to integrate the administration of national insurance. As I have said on a number of occasions, the Government are looking at the contributions system, and any reform would have to await the conclusion of that study. In the meantime, this is simply an administrative measure—I make no bones about it. This highly technical Bill will improve the administration of government and lift burdens on business. Those are the driving forces behind it. The Government are always studying the contributions system, but the Bill is not a part of that process.

We are improving the service provided to business and, in addition, we will extend access to the information available in Inland Revenue tax inquiry centres and elsewhere so that national insurance information will be available in more than 300 extra local centres this year. We are looking also at improving the specialist helplines so that we can deal with both tax and national insurance inquiries in one call.

Finally, we are unifying the appeals process so that if someone has a dispute about his tax or national insurance—which is often the same issue, and often concerns whether someone is employed or self-employed—he will be dealt with under one appeal. The reforms have been much sought by business, and they are in line with the recommendations of the tax law review committee, whose work we supported in opposition and continue to support now that we are in government.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Anyone looking at the reply that the Secretary of State gave to my hon. Friend the Member for Northavon (Mr. Webb) could draw a strong inference that the Bill was only a first step, and that the national insurance contributory principle was under scrutiny by the Government in the longer term. What is the Government's long-term intention for the principle? Is the Bill part of longer-term reform, or is it tying up what the Secretary of State has reasonably described as a series of anomalies which may need attention?

Mr. Darling: I will turn to that in a moment. The transfer is entirely independent of any other consideration. It is necessary and desirable on its own merits, and that is why we are pressing ahead with it. As far as I know, only the Conservative Opposition are opposed to it. They are entitled to take that position—they do not mind being on their own on the outer fringes of acceptable opinion. They have every right to be there, and I am quite happy to leave them there.

On policy transfer, the position has changed in the past week or so. Bringing the Contributions Agency and the Inland Revenue together still leaves different Departments responsible for policy. We have decided to transfer policy responsibility for national insurance contributions from the Department of Social Security to Treasury Ministers and the Inland Revenue.

At the time of the last Budget, my right hon. Friend the Chancellor made it clear that we intended the Contributions Agency to transfer this April, at the start of the new financial year. However, we did not then propose a date for the transfer of national insurance contributions policy functions.

I have decided that the simultaneous transfer of operational and policy functions is necessary. It is undesirable to consider whether a matter is operational or policy before determining which Minister is responsible for it. Simultaneous transfer will mean clearer accountability to the House. The explanatory notes to the Bill say that the transfer of policy responsibility will take place from an appointed day. I can now tell the House that that appointed day will be 1 April.

The Chancellor and I will continue to have access to each other's officials for developing and discussing policies. However, by transferring those officials who develop and manage policy on national insurance to the Inland Revenue, business and other representative bodies will be given one focus for the discussion of improved legislation, procedures and guidance.

Business is rightly concerned about the technical differences in tax and national insurance contributions practice and law that add complexity and increase costs. We want to consider the scope for further alignment in discussions with representative bodies. As a first step, we have already announced a review of the inquiry powers that will be available to Inland Revenue staff. We are considering how best to provide a wider unified consultation process to ensure a productive environment for discussing the improvements.

Mr. Frank Field (Birkenhead): Would it not be possible to interpret the decision taken in the past week as a fundamental change and a proposal to abolish my right hon. Friend's Department? We are talking about half his budget, and the policy decisions will now be determined in the Treasury.

Mr. Darling: It occurred to me over the weekend that someone would ask such a question, but I had not quite anticipated that it would be my right hon. Friend. With respect, what he says is simply not true. We are talking about ensuring that those who are responsible for the policy and operations of the Contributions Agency should be housed under one roof, as otherwise all sorts of difficulties arise when trying to distinguish between policy and operations.

The Department of Social Security is not being abolished, or anything like it, as my right hon. Friend will appreciate when he reflects on these matters. In any event, it is important that all Departments should work together, and especially the Treasury and the Department of Social Security. Perhaps because of what I used to do, I have absolutely no difficulty with that. Frankly, the departmentalitis that so afflicts Whitehall, and that anyone coming into government is struck by very early on, is something that the Government should strive to break down.

We are talking about ensuring that operational and policy responsibility are under one roof, but of course the Chancellor needs access to Department of Social Security officials, just as I need access to Inland Revenue and Treasury officials. That close working relationship seems to me to be entirely desirable. The public do not ask themselves which Department is operating a policy; they ask themselves what the Government are doing to make life better for them. The Bill is a step change in improving public service, which is why I believe it should be supported.

Mr. Duncan Smith: The Secretary of State started by saying that the Bill was essentially straightforward and small, mainly involving administration, and did not portend anything, but he now seems to have revealed, partly under probing from others and partly from his own inclination, that it is more than that: it is a paving Bill leading to major changes. If he would admit that, we could have the proper debate, about which he has talked endlessly, about means testing and the contributory principle.

Mr. Darling: I repeat that I am more than happy to discuss the contributory principle, means testing and the other ways in which we provide benefits, but the hon. Gentleman must be a subscriber to the conspiracy theory of policy to read into the Bill anything more than sensible administration and the delivery of good government. I know that conspiracy theories are attractive to the extremes of politics, on both left and right, and I am sorry that the hon. Gentleman is falling into that trap.

The Bill is a sensible measure to deliver better administration and a better service to the public. That is why the hon. Gentleman's colleagues in the House of Lords did not oppose it and why the vast majority of people who have studied the measure support it. As he will well know, from time to time all Governments move policy consideration from Department to Department. The right hon. Member for Huntingdon (Mr. Major) used to do it when he was Prime Minister.

The clear principle is that policy and operational matters are often so interlinked that it does not make sense to divide them. Of course policy matters could have remained in my Department for another year, but that would not, I believe, have made for the best administration of the Department. I have no difficulty with the fact that they will be passed to the Inland Revenue. I can still get access to the officials, just as my right hon. Friend the Chancellor can get access to my officials. That is how good government ought to work. Perpetuating needless divisions seems to me to be entirely pointless.

We ought to be discussing measures that deliver a better service to the public. The public do not care which Department deals with the matter; they are bothered about lifting the burdens on business, making it easier to set up a business and making the administration of public life better. That is what the Bill is intended to do.

Dr. Norman A. Godman (Greenock and Inverclyde): Without wanting to appear appallingly sycophantic, may I say that I fully support the Bill? However, I have a question about clause 24. I think that I am right to say that, under the Bill, responsibility for the contributions policy covering Northern Ireland will be transferred at the

[Dr. Norman A. Godman]

same time as equivalent responsibilities for other parts of the country. Clause 24, inter alia, allows the relevant Departments of the Northern Ireland Office to be renamed and restructured. It also allows Northern Ireland civil servants to be transferred to the home civil service. Will my right hon. Friend confirm that civil servants in the Northern Ireland Office's Department of Health and Social Services, and their trade union representatives, are being fully consulted about measures that may cause a sea change in their employment?

Mr. Darling: Yes, the Government consult employees, and there may be changes. My hon. Friend will know that the question of transfer depended to some extent on the progress of other matters. There has been some slippage there, as my right hon. Friend the Secretary of State for Northern Ireland has said. However, it is important in matters such as this that our staff are included in the process. I know that my hon. Friend maintains a close interest in what happens in Northern Ireland and, once the situation is clarified, I shall be happy to write to him and set out what we intend to do.

Miss McIntosh: In reply to the right hon. Member for Birkenhead (Mr. Field), the Secretary of State was rather dismissive about the possibility of his Department disappearing. I am a relatively new Member of the House of Commons, so will he explain what his Department's role will be after the Contributions Agency and responsibility for the working families tax credit have transferred to the Inland Revenue? What will his Department and his Ministers be responsible for then?

Mr. Darling: The hon. Lady may be new to these matters, but she is not that new. She has had time to notice that the Department of Social Security accounts for one third of all Government spending—a total of just under £100 billion, to be precise. I can assure her that we will still have the odd thing to do, and that any talk of the end of the Department is premature.

There was a time when the Conservative party claimed to speak for business. Clearly, that is no longer so. What we are talking about is lifting the burdens on business. The hon. Lady should have a word with the right hon. Member for Horsham, the shadow Chancellor, who knew the importance of doing that. The right hon. Gentleman worked in the City when he took time out from Parliament between the 1992 and 1997 general elections. He was put in charge of the Deregulation Committee: he accepted that the case for change was overwhelming and urged the then Government to stop dithering and to get on with it. Well might he have done so: it has taken a new Government to do something about it.

I repeat—although it may be to the point of tedium—that the public do not care which Department delivers a service, provided that it is delivered efficiently and effectively. That is what we are doing.

Conservative Members have developed a new-found interest in the means test, as befits members of a party that in government doubled the incidence of means testing from 16 per cent. of cases to 34 per cent. The Bill makes no changes to the structure and rates of national insurance contributions. It keeps the scheme distinct from general taxation. The national insurance fund continues to exist separately from the Consolidated Fund.

Moreover, the Bill does not affect the yield from tax or national insurance contributions, nor does it affect benefit expenditure. That is a matter for my Department, and it occupies much of our time. It does not affect the qualifying conditions for any contributory benefit, and it makes no change in pensions policy. So the Bill has no implications whatsoever for the contributory principle. I should be delighted to debate that whenever the Opposition—or anyone else—would like, but the Bill does not affect the contributory principle at all.

As I have said, the Inland Revenue already collects 94 per cent. of national insurance contributions. The Bill is about modernising government to provide a better service to business and individuals. That is what makes the Conservative party's opposition to it so extraordinary.

Mr. Edward Leigh (Gainsborough): I hope that the Secretary of State can help me on a technical point, which I raise in the presence of the Chairman of the Select Committee on Social Security, the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who might be interested in the answer. The Secretary of State says that he will have no difficulty with gaining access to Contributions Agency officials, but the members of the Select Committee have been told that we cannot interview Treasury officials or bring them before our Committee, because the Treasury takes the view that it does not want its officials to be summoned to appear before all those other Select Committees. Will the right hon. Gentleman give a commitment on behalf of the Government that, once the agency has passed from one Department to another, the Social Security Committee will be able to question Contributions Agency officials, despite the fact that they are employed by the Treasury?

Mr. Darling: As the hon. Gentleman knows, I cannot give that commitment. Generally speaking, Select Committees shadow their Department. When I was Chief Secretary to the Treasury, I received warm invitations to address almost every Select Committee, but I was forced to decline those invitations because it was not possible to appear before every single one. I understand the hon. Gentleman's point and I have discussed the matter with the Social Security Committee, because, increasingly, work that historically was confined to the DSS now spans other Departments. I have made the point before that welfare is not only about the DSS, but about changing the whole culture of government. If the Social Security Committee is having special difficulties, there are channels available to be explored. I know that other Select Committees have, from time to time, been tempted to wander outside what might be considered their traditional territory. The matter is not one that I can deal with today, but I am aware of the concerns.

As the subject appears to have been raised in the reasoned amendment—it is not altogether clear—I shall say a word or two about the national insurance recording system computer. Hon. Members on both sides have, rightly, expressed concern about the effect of the difficulties. When we last discussed the subject, last week or the week before, I said that we would put into the public domain further information about the national insurance computer; that continues to be my intention. I hope to be able to do that either this week or at the beginning of next week, so that the House can be brought fully up to date on the problems that we are encountering.

It will take considerable time for the problems to be cleared up. Teams of people are working in Newcastle with Andersen Consulting, which supplied the computer equipment, and with Contributions Agency staff. They are working night and day and my hon. Friend the Minister of State receives daily reports. At this stage, I can say only that it will take time to clear up the problems, but that we are determined to get the system running properly as soon as possible. As I said, I hope to be in a position to give an up-to-date report, if not later this week, then at the beginning of next week, but if any hon. Member has a individual question, my colleagues and I shall be happy to help.

Mr. Duncan Smith: I am sure the House appreciates what the Secretary of State says, but will he consider creating the opportunity for questions to be asked across the Floor of the House by presenting a statement, either when the report is produced or immediately thereafter?

Mr. Darling: It is in the nature of the computer—indeed, of any computer, large or small—that the situation appears to change from week to week, sometimes from day to day. I am not sure whether Madam Speaker would allow me to come to the House to make a daily report on what happened in Newcastle the previous night, so I cannot undertake to make a statement. However, I shall ensure that—as is often true of answers to parliamentary questions—the answer, when it comes, is very long and sets out the position as clearly as possible. If the occasion demands it, it is always open to Opposition to ensure through the usual channels that I make a statement or find some other way to allow questions to be put to me on the matter. I would have no difficulty with doing that.

The contract was entered into in 1995, but there have been difficulties with the system under both the previous Government and the current Government. It must be the objective of all of us to get the matter cleared up as quickly as possible, so I am more than happy to answer questions about it.

The case for transfer is overwhelming. It is good news for employers and for individuals. It will bring about better government by delivering a single Department to deal with tax and national insurance questions. It will enable the best efforts of both the Contributions Agency and the Inland Revenue to be combined to provide better customer service. The Bill paves the way for better government, for the better delivery of tax and national insurance systems and for better service to employers. On that basis, I commend the Bill to the House.

5 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

> "this House declines to give the Social Security Contributions (Transfer of Functions, etc.) Bill *[Lords]* a Second Reading because the effect of the Bill will be to facilitate the ending of the contributory principle, leading to the wider application of the means test, which will have a detrimental effect on the public and particularly pensioners; and because the major practical difficulties in transferring functions relating to social security contributions to the Treasury have not been overcome."

Today's debate will be seen by many as purely technical—in fact, the Secretary of State opened the debate on that basis. However, Opposition Members believe that the legislation is more than simply technical and that some elements of principle must be addressed. Although I accept that the Bill, in all its detail, is very functional, exploring that detail will require a strong and concerted effort in Committee. It is, however, a hugely important Bill, not purely a technical one, and it is a significant part of the Government's legislative programme because it deals with those matters of principle of which the House is aware.

I noted that the Secretary of State began by exploring the narrow, technical side of the Bill and then drifted into the what-ifs. In essence, he was asking, "Once this is done, where do we go from here?" The right hon. Member for Birkenhead (Mr. Field) also teased out that question with the Secretary of State, and I shall deal with some of the bigger issues later in the debate. Notwithstanding the fact that the Bill is detailed, I think that we must address some serious questions of principle. At the end of the day, it boils down to whether one believes the Government's assurances—and we shall come to that point in due course.

I shall begin with some of the misgivings that were raised in the other place by noble Lords on all sides. Let us deal with the Government's assertions about savings to business. Much has been made of the cost to business generated by dealing with national insurance contributions. The Government contend—with the support of many business leaders—that the Bill will save businesses money. The 1994 White Paper, "Competitiveness: helping business to win", contained proposals to examine

> "how the work of the Inland Revenue, Customs and Excise and Contributions Agency can best be co-ordinated to minimise costs on business arising from tax collection and compliance."

Following consultation on that basis, an amalgamation was ruled out—although closer co-operation was encouraged to reduce the general burdens. In 1995, my right hon. Friend the Member for North-West Hampshire (Sir G. Young) said:

> "It was concluded that the overlap between the Revenue and the agency did not warrant an amalgamation of the two businesses. In addition, any efficiency gains would be outweighed by transitional costs and disruption to both departments."—[*Official Report*, 14 June 1995; Vol. 261, c. *516*.]

Mr. Geraint Davies (Croydon, Central) *rose*—

Mr. Duncan Smith: I will make this point and then give way. I accept—as would any hon. Member—that there will be some administrative savings to business.

Mr. Davies *rose*—

Mr. Duncan Smith: The hon. Gentleman must be patient. We have plenty of time—judging by the number of hon. Members who wish to speak in the debate, it is not as though we are under a great time pressure. I will give way to the hon. Gentleman when I have finished making this point.

We accept that there should be some administrative savings. If those savings are to be realised, the real purpose of the transfer must be to cut the overall cost of the Inland Revenue or the Contributions Agency or both. If there is no cost reduction, businesses will continue to carry an increasing burden, which will be reflected in the cost of employing those who work for them.

Mr. Davies: On reflection, will the hon. Gentleman accept that he has completely missed the point?

[Mr. Davies]

The savings to business are not savings to the Government in terms of amalgamation. The net present value of savings to the Government is positive—the analysis was not conducted properly. My main point is that there is no quantification of the savings to business, which are enormous and on-going and affect the competitive position of businesses across Britain.

Mr. Duncan Smith: I am coming to that. My point is that, in reality, we must question to what degree those savings will flow to business. What businesses think they will get is quite important, as is what they actually get.

Mr. Davies *rose—*

Mr. Duncan Smith: The hon. Gentleman must allow me to finish developing my argument and then he can decide whether I have made my point—I dare say he will decide that I have not and I shall take another intervention from him at a later stage.

It goes without saying that, although the Government headline the transfer as a saving to business, that is debatable, given the nature of the proposal and the increasing costs to business. Businesses will be likely to secure serious and general real-term savings—this point is important to businesses, so the hon. Gentleman must bear it in mind—only by cutting overall administrative costs. That is, ultimately, about the number of personnel that businesses employ and the way in which they do business.

The only way in which the Government could achieve their aim—this is the subject of the extended debate on which the Liberal Democrats are very keen—would be ultimately to merge the two systems. That is the holy grail that would deliver huge savings that could be transferred to business through overall tax reductions. The question is how far the Government intend to go—and, whether or not they want to admit it, that is the subject of the debate.

It is worth making the practical point that the Bill will transfer the Contributions Agency at a time when the Inland Revenue faces serious challenges. The Inland Revenue has already experienced administrative problems with the introduction of self-assessment. The Secretary of State was the Chief Secretary to the Treasury in his previous life, although the less said about reincarnation, the better. He will recall that in a written answer on 28 January, the Paymaster General said, in reference to the problems of self-assessment, that of 3.4 million tax statements issued by the Inland Revenue, 870,000 contained superfluous information that it was accepted was likely to lead to failed tax returns by many people who had been misled.

The Inland Revenue has had to undertake to write to all those taxpayers to apologise for misleading them. That is all linked to the complications of self-assessment. I understand that the cost of those letters alone could be £250,000. My practical point, therefore, is that the Government are proposing hastily to transfer the agency when the Inland Revenue faces major structural upheavals in trying to cope with self-assessment.

Furthermore, costs will ultimately fall on the shoulders of business through the working families tax credit. There is no question but that the change to that structure and the transfer of that responsibility will place yet more heavy bureaucratic pressures on the Inland Revenue. In Social Security questions today, the Secretary of State referred to the report of the Select Committee on Social Security on family credit. He referred, rightly, to the desire to ensure that the mistakes that allowed fraud to be committed in the claiming of family credit would not be repeated with the working families tax credit.

There is a need to address those major changes, which are all happening at the same time as the transfer of the working families tax credit, the problems with self-assessment faced by the Inland Revenue and the Bill. They are likely to lead to greater cost pressures, which will fall on business.

Mr. Darling: Does the hon. Gentleman accept that one of the ways in which error can creep into the system—I put it no more strongly than that—is if two organisations ask an employer to provide information? The information given to the second organisation may differ slightly from that given to the first because the employer will forget something or say, "I told the other fellow all about that." Mistakes arise when local authorities collect information on housing benefit and so does the Benefits Agency. Is it not better and more efficient for people to deal with one agency that can check that all its information and the national insurance contributions are correct?

Mr. Duncan Smith: The Secretary of State makes a particular point about simplifying the flow of information for business. If it is possible to achieve that aim—that is the question—improved efficiency might result.

My question relates to the way in which the information is gathered and for what purpose. The Secretary of State knows as well as I do that matters are not as simple as they appear to be because two agencies will be gathering and holding information for very different purposes. It is too simplistic to say that it would be good if agencies collected information at the same time because, to a greater or lesser extent, they are collecting different information. I shall return to that point in a moment.

Much of the debate about savings to business is questionable. I used to run a business before I entered the House. Any business would agree to a proposal that saved it a task and therefore represented a saving, but the question is, what is the other side of that equation which may lead to other costs flowing through to businesses? They will not consider those costs because they are not their responsibility. That is what the debate is really about, not just the superficial costs.

In the other place, Baroness Hollis admitted that, over a couple of years, costs are likely to rise by £16 million or £17 million. I do not have the exact figures; I shall have to take Baroness Hollis at her word. Regardless of whether she said that, I would have estimated that there would be a problem because bureaucratic necessities will increase costs. The problem is, who bears that cost? It is not a free-as-air cost; ultimately it must be borne by the taxpayer. That is my point. The Government need to be talking about real savings.

Mr. Geraint Davies: I have just noticed, while reading about the hon. Gentleman's background, that he has no experience of setting up small businesses. He worked for very large companies. I moved from working for a multinational to setting up my own successful businesses, so I know the time that separate national insurance and pay-as-you-earn systems take. Such separate systems cost businesses because accountants have to be employed to work it out. If the Government are pursuing an amalgamated, aligned and simple system, it will result in a great saving to new small businesses, and be the engine of future employment.

Mr. Duncan Smith: I note the hon. Gentleman's advertisement for his own background, although he should have checked a little more about mine. If he had, he would have seen that the company that I was talking about is a small-to-medium-sized business, not a large business. Its turnover was not what the hon. Gentleman thinks. Most people make that mistake about Jane's. I did quite a lot in that company, but I do not want to get down to the details. That is not the debate. He makes a petty point, which I take, but I do not agree with it.

The Government face a problem of trying to figure out the savings and present them to business. It is very easy to present a superficial case, saying to business, "We will take this away from you, therefore it is a cost saving." The question is whether that is really so. On one hand, the Government are talking up the savings, but on the other, they are admitting that, even in the immediate future, there will be no savings, and, more particularly, given the disruption in the two departments, there are likely to be some increases in cost.

Businesses love to hear wonderful news about savings, but it comes ill from a Government who have significantly raised business costs. That is why I am sceptical, and why one or two businesses are beginning to question the proposals. The Government imposed the windfall tax, which cost business £5.2 billion. Independent assessors estimated that the July 1997 Budget cost business indirectly and directly £14.2 billion. The March 1998 Budget cost business £4.9 billion. It is independently estimated that the minimum wage will cost £8.1 billion. The working time directive is likely to cost almost £7 billion. The European works council will cost £0.085 billion, and this parental leave stuff will cost business £0.11 billion. Overall—admittedly it was not all imposed by the Department of Social Security—business must take into consideration a cost of £39.3 billion.

Even the CBI, which supports the measure because of the hypothetical cost saving, has some reservations. It wonders whether savings really will filter down to businesses, or instead be lost in a swamp of extra costs.

The Minister of State, Department of Social Security (Mr. Stephen Timms): The CBI does indeed support the measure. Has the hon. Gentleman discussed his argument with the shadow Chancellor? Has he read the deregulation task force report, for which the shadow Chancellor was responsible? It says:

> "It is a massive and unnecessary burden for employers to have to cope with two separate bureaucracies for matters concerning payroll taxes"?

Mr. Duncan Smith: I have endless discussions with my right hon. Friend the shadow Chancellor, who is both a friend and a colleague. He will demonstrate clearly that what the Government propose will not work. I know that it is always great fun in this place to try to point out supposed divisions between people; many in the House try to do so. In answer to the hon. Gentleman's question, I said that my right hon. Friend the Member for North-West Hampshire dealt with that in 1995. My right hon. Friend the shadow Chancellor has accepted—as we all do—that there are serious obstacles in the way of the Government's intention. We probed that issue in the House of Lords, but did not get satisfactory answers.

Ms Gisela Stuart (Birmingham, Edgbaston): Will the hon. Gentleman give way?

Mr. Duncan Smith: No; I want to make progress.

The Secretary of State discussed the problems of the national insurance computer, and I am grateful for his comments. It is worth mentioning the problems that have affected that computer, but what effect do they have on the Bill? Although the right hon. Gentleman did mention the subject, he did not discuss to what extent problems with the computer may cause problems for the Government in the transfer.

In the other place, my noble Friend Lord Higgins raised the matter with the Government several times, urging them to accept that, unless the problem was resolved before the move across, there could be serious problems. The matter was again discussed on Report when, although not admitting that the computer problems would have any effect, the Government conceded that, in the interim, they would have to do something that they had not anticipated. They have now agreed to make interim payments, which I believe is a result of my noble Friend's persistent pressure. That is to be welcomed, but it shows that the situation with the computer is bound to have some effect on the transfer or on the attitude of members of the public to the transfer, who will want to know what is happening.

It is surely not good enough for the Government simply to say that, because they are making a block transfer, it does not matter whether the problems of NIRS2 are in the hands of the Department for Social Security or of the Inland Revenue. That shows some complacency—the Secretary of State did not really answer that accusation. It also shows a failure to recognise that very many pensioners are now aware what is going on and will be deeply worried lest the issue is not resolved.

I therefore ask the Government to think again about timing, even if they are set on other aspects of the transfer. I urge them—if, as expected, the vote goes their way tonight—to consider accepting the amendment tabled by Lord Higgins in the other place, which would delay the transfer until the matter is resolved. I urge the Government at least to consider that and to admit that there will be problems.

The next point that I want to make concerns confidentiality. As we know, the Inland Revenue keeps relatively short-term records on the tax paid by individuals, whereas—as the Secretary of State will know from his previous position of Chief Secretary—the records of the Contributions Agency are cumulative and, of necessity, much more detailed. It is fairly common knowledge that the Contributions Agency is responsible for maintaining the national insurance accounts for more than 65 million customers, 1.4 million employers, more than 3 million self-employed people and a personal pension population in excess of 5.7 million.

[Mr. Duncan Smith]

I always have an instinctive political concern when someone suggests that administrative amalgamations and transfers make common sense simply because they save money, without examining to what extent the privacy of the individual may be trespassed on. I am fully aware now, as is everyone in the House, that Governments must achieve a balance between their responsibility to the taxpayer and their responsibility to the rights and liberties of those whom they govern. That awareness lies at the heart of this concern.

Reading the House of Lords *Hansard*, I felt, notwithstanding the soothing words of Baroness Hollis, that that issue was not really dealt with properly. For example, clause 6 of the Bill allows information to be held by the Board of Inland Revenue to be supplied to

> "any . . . person providing . . . services to the Board".

Such an open-ended statement makes us question whether a subsection could be used to justify accessing information that is neither relevant nor necessary to the workings of the Inland Revenue. The Government are unable to give a target for savings—which they seemed to suggest that they would be able to do, and which would of course be the plus for taxpayers. In fact, it appears that the opposite is the case, as Baroness Hollis has said. The balance therefore seems to be pretty much all one way. The Government need to reconsider, in light of the concerns raised in the other place about this matter, the concerns that taxpayers may have about transfers of data. They would contend that the transfer of some data is necessary, but there is unease about the unnecessary transfer of data which may fall into the wrong hands.

That brings me to my final, and main, point. I believe that, in this case, the contributory principle is being eroded. The Government say that that is not the case, but I want to press them on that slightly. Several times I have heard the Government, in the other place and this place, seeking to reassure everyone that the transfer and the amalgamation have nothing to do with the ending of the contributory principle. The Secretary of State made great play about that in the early part of his speech. Yet there were a number of cases when Baroness Hollis stopped short of any undertakings to the contrary or when it could be seen by her words that such a process was a possibility. Today, the Government, in the body of the Secretary of State, seemed also to indicate that, which I think that the right hon. Member for Birkenhead teased out.

For example, on Second Reading in another place the noble Baroness said that the Bill would not end the contributory principle. She went on to say:

> "This Bill is not the vehicle for major alignment of tax and national insurance contributions. We want to work through that in consultation with representative bodies."

The Secretary of State made roughly the same point this afternoon. He talked about what comes next. I thought that he indicated that there were possibilities that the Government would move towards the erosion, if not the ending, of the contributory principle.

I think that that shows clearly that there are other motives. I wish that the Government were clear about these matters. I believe that they are clearly of a mind to do exactly that to which we have been referring. That would be a wrong move—and it is not only the Opposition who take that view. In a recent qualitative study of perceptions of the national insurance system, Bruce Stafford, the author, found that

> "although the respondents lacked detailed knowledge of the benefit system, in their responses they were strongly committed to the contributory principle."

So there is concern outside the House. The public find that what they feel strongly about is, without any serious or detailed debate, slowing being eroded, and that under the Bill that process could certainly be accelerated.

Mr. Geraint Davies: Will the hon. Gentleman give way?

Mr. Duncan Smith: No. I have given way to the hon. Gentleman a number of times.

There are some who openly wish to end the contributory principle, and say so. I note the Liberal Democrats on this point, which they take to its logical conclusion. I note also that in the other place Lord Goodhart said:

> "All this emphasises both the logic and convenience of treating NICs as a tax."—*[Official Report, House of Lords, 10 December 1998; Vol. 595, c. 1043–48.]*

I think that the Liberal Democrats would accept that.

The point of our opposing the Bill is the failure of the Government to be clear. Perhaps the Liberal Democrats are clear, but the Government are either unclear or, in reality, do not want to say what the purpose of the Bill is all about. The Government are moving quite clearly in the direction I have described. Everything hinges simply on whether they are to be believed.

Ultimately, the entire debate comes down to that. The Government say, "Trust us. We shall reassure you all by telling you what this is. We are not going to do what you say." I look at the Government's assurances and at what the Government have done since they came into office on means-testing—child benefit for 16 to 18-year-olds; widows benefit, a change to bereavement benefit, minimum pension guarantee, extended means-testing with the WFTC, incapacity benefit, winter fuel payments and tuition fees. Each of these benefits is clearly an extension of means-testing or a use of the means-testing device.

The Government have set their entire policy so that it focuses, as they say, on the bottom 10 per cent. I argue that the greater the level of means-testing, the more that that approach will act against many of those in the bottom 10 per cent. and against saving generally. That is contrary to the Government's wish. For example, with the Government's minimum pensions guarantee they will face the problem of having built a disincentive to saving for anyone below average earnings. The right hon. Member for Birkenhead has been on record many times—I make no apology for quoting him—saying that means-testing penalises honesty, discourages work and harms thrift.

The question is not whether the previous Government increased means-testing—*[Interruption.]* I do not deny that. My point is whether it is right to continue down that road. Will what the Government are doing deliver what they claim, which is a focus on the bottom 10 per cent., without seriously damaging those who are on marginal and low incomes who would attempt to save? They will find themselves either driven to dishonesty or to making no savings, so that they fall within the bottom 10 per cent.

Mr. Darling: In what respect are the winter fuel payments means-tested?

Mr. Duncan Smith: The right hon. Gentleman knows very well that a part of the winter fuel payments is dependent on income support. The right hon. Gentleman should check that himself.

In essence, we do not believe that the Government have in any way made their case for the transfer. We do not believe that the assurances given are sufficient. We believe that, ultimately, the Government are en route to wind the basic state pension into some overall minimum income guarantee. The Bill is part of that process. If the Secretary of State disagrees with that, will he now come to the Dispatch Box and say categorically that there is no way in which the Government would seek to means test the basic state pension after the next election? Will he tell us that there is no reality in the idea that the Government will end up reducing the contributory principle and abolishing it? I believe that the Government have a clear idea of where they are going.

Mr. Darling: The Green Paper on pensions clearly states that the basic state pension will remain universal and will not be means-tested. What is more, if the hon. Gentleman finds the time to read the Green Paper, he will see that it is very firmly rooted in the contributory principle.

Mr. Duncan Smith: The right hon. Gentleman cannot get away with that. The reality is that the Government have failed to commit themselves never to means-test the basic state pension or to wind it into any basic means-tested income. It is sophistry on the Government's part—smoke and mirrors.

Mr. Chris Pond (Gravesham) *rose—*

Mr. Duncan Smith: No, I am finishing.

The Government have today set themselves on a course that will ultimately get rid of the contributory principle and end up with a means-tested focus on the bottom 10 per cent. There is no way that we can agree to that or trust them. It is a hidden measure, which will come about directly as a result of Government policy.

5.26 pm

Mr. Frank Field (Birkenhead): I shall make only two points. The first relates to the significance, as I see it, of what the Secretary of State said about the conclusion that he had reached during the past week. In the other place, the Bill was debated as one that changed the administration and moved to the Treasury the offices responsible for administering the national insurance side. The Secretary of State told us that in the past week he had concluded that policy should be transferred as well.

When the Department of Social Security first learned of the Treasury's wish for such a transfer, there was deep unease. Unease about the Treasury's intentions was not limited to the DSS. We thought that, by the separation of administration from policy, the Department would be kept intact. The Secretary of State made light of my intervention, when I said that in effect a large part of his Department was being given away. He said that he expected someone to comment on that, but he did not expect it to be me.

When the Bill is enacted and the Secretary of State's intentions are realised, who will answer questions on the matter? I do not doubt that most people out there will still think that the DSS is paying their pension, but in this place and before Select Committees, Treasury officials will answer for the running of the national insurance scheme.

We know that the national insurance scheme accounts for 40 per cent. of the Budget. It represents a major change for the Department to lose not just day-to-day running but policy making in that area.

Mr. Webb: On a point of clarification, as I am not sure whether I understood what the Secretary of State said, does the right hon. Gentleman understand that responsibility not only for national insurance contributions but for national insurance benefits is to go to the Treasury, or will only the contributions side be transferred, leaving the Secretary of State still responsible for the benefits side?

Mr. Field: As I understand it, the contributions side will be transferred—what people are paying, when and how. That is the most crucial aspect. I do not for a moment deny that the Department will be given the job of running the benefits as an outpost, but policy decisions about who gets what, when and how—the essence of politics as we understand it in this country—will disappear from the Department.

That links up with my second point. I do not believe that all members of the Government fully comprehend the value that the country attaches to the contributory principle. Indeed, it is clear from the statements that he has made that the Chancellor does not.

Following the Budget in which the Chancellor declared his intention to make the move that has already been referred to, he went on television after making his statement, as is customary. He talked about the national insurance tax. I thought that that gave away most of the game, for, although he might think of the measure as a tax, most people out there in the country think of it as anything but.

We, as grand politicians, may think that the ordinary voters are hit with folly if they think of contributions as different from tax, but, as the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) said, the studies provide evidence that people think that, although they have to pay, they are earning something as well. The importance of that is that Labour Members are probably keener than Conservative Members—we must make exceptions for the Liberal Democrats here—to raise taxation to cover public services.

If 40 per cent. of the Department of Social Security budget is thought of not as taxation but as contributions, and the earning of benefits in the way that my right hon. Friend the Secretary of State explained at the start of his speech, and if we are lightly to dismantle that and teach people their folly—this is nothing to do with contributions and all to do with tax—Labour Members will have even greater difficulty raising the necessary revenue to ensure that we can provide the public services that we want.

[Mr. Field]

About £40 billion is raised from individuals towards their national insurance benefits. They do not think of that as tax, but as separate from tax, so it is extreme folly to be considering going down a route that will drive it into people's minds that they are paying a tax.

One of my concerns is that the move is not isolated. The Chancellor said in the Budget that he would align tax and national insurance thresholds, so there will be a particular point at which people move over: the lowest rate of tax will come into play and full national insurance contributions will be levied as well.

At the moment, most people can see the difference between what is paid in tax and in national insurance, and therefore understand perfectly what the Chancellor is about in trying to establish a starting rate of tax of 10p in the pound, but they will be mightily confused when the same machinery and the same pay-as-you-earn slips tell them that the rate of tax is not 10p because, on top of that, they will be paying a 10p national insurance tax.

My right hon. Friend the Chancellor is absolutely right to believe that we need to get the starting rate of tax down, and right to take on people who criticised him, before they were elected to the House, for not going down the allowances path. Nobody worries about what the tax allowances are. People do not tumble into constituency surgeries to say that they have decided not to work overtime, or not to take a new job, because the allowances will not permit that. They all talk about their marginal rate of tax.

My right hon. Friend is also absolutely right to say that, if we are trying to ensure that people at the bottom are valued properly, and that there are real rewards in the system for them, they should have a low rate of tax. The right hand of the Chancellor is used for that, but his left hand is used to tidy up the operation—how much more simple it would be if the whole system were combined—and in his Budget broadcast he called it a national insurance tax.

My worry about that approach is that, if the Chancellor ever manages to convince the electorate of what he is about, he will never achieve an incredibly important objective for this Government—a clear starting rate of tax of 10p in the pound. If he attempts to sew together these functions and combine them, saying, "Isn't that easy for business?"—never mind whether the service is better and never mind what service is provided, so long as we can say that it is better—we will all chant in unison on that point. However, people will quickly see that the national insurance contribution is not a contribution, but a tax and part of the tax system. I am worried, as are other hon. Members, that, when we get to that stage, we will dismantle national insurance rights.

Mr. Geraint Davies: Does my right hon. Friend accept that there is counter-evidence regarding the trend towards amalgamation of all taxes into one tax, including moves to hypothecate revenues from road pricing for public transport? There is no contradiction between amalgamation of the administration and realignment for labour market efficiency and the ring-fencing of national insurance contributions and benefits.

Mr. Field: There would not be, except that that is the present system. A hypothecated contribution from taxpayers as their national insurance contributions will be rolled up into a revenue operation. It will be more difficult for us to ensure that there is no contradiction in future.

It is right that no Chancellor can allow the whole of the Budget to be hypothecated, because some areas are crucial to civilised life in a modern state. Many of us would not want taxes to be divided up and hypothecated. On this, as on so many issues, balance is important. Given that there is real resistance to rising tax rates, and that we won the election only because we had the Prime Minister as our leader and gave the most clear statement that we would not raise direct taxation, we are now embarking on an extraordinary policy.

Mr. Jim Cousins (Newcastle upon Tyne, Central): As my right hon. Friend knows, I, like him, defend the contributory principle and the rights that go with contributions. Does he concede that nothing in the Bill challenges the concept or the identity of the national insurance fund? Other Government policies, such as the working families tax credit, the proposals on national insurance contributions and the proposal for a state second pension, give a clear commitment to establishing eligibilities and entitlements even if no contribution has been made. That separation of the need to make contributions and the establishment of eligibility and entitlements is not a withdrawal of the commitment to the national insurance contributory principle, but rather a huge and ingenious extension of it.

Mr. Field: Gosh, I wish I shared my hon. Friend's views. I might have thought that I was wrong even to speak in the debate if he had not mentioned the state second pension. It is clear from what those on the Treasury Bench say that, with the rebates, they expect most people earning more than £9,000 a year to be in private schemes. The people who remain will not pay contributions up front into the type of scheme that I want, with contributions raised so that they are equal citizens. There will be a mean-tested element.

Mr. Cousins: I hope that my right hon. Friend will take account of some of the points I made, but I should like to pursue a further point. The state second pension, which credits everyone with an entitlement to £9,000 a year in terms of the value of contributions—whether or not that £9,000 a year has been earned—is an important extension of the national insurance contributory principle.

Mr. Field: The operative word in my hon. Friend's intervention is "credits". We all know perfectly well that, sadly, credits are different from contributions. The Government have not introduced a scheme whereby contributions will give equal citizenship to those who are at the bottom of the pile as compared with other people.

If we consider this measure with blinkers on—like one of those cart horses in old-fashioned pictures of the labour movement—my hon. Friend is right to say that nothing in the Bill leads to the scenario that I am describing. When we have passed the Bill, however—if we pass it—we will have started a momentum. How can the next stage logically be resisted, once we have agreed to the transfer of power for which the Bill provides?

We are not debating a mere tidying-up operation; we are not debating simply the moving of furniture between Departments. We are discussing a much more fundamental issue. Authority is to be transferred from one Department to another. Although my right hon. Friend the Secretary of State is right to say that we should not defend traditional departmental divisions just for the sake of it, there are reasons why we have different Departments, and why the Treasury does not run everything: the existence of different Departments means that differences in status, views and values can be brought to debate. In this instance, a whole area of policy is being given to the Treasury.

A second question also concerns me. Does the Chancellor really see how his left hand will operate in relation to his right? When the Chancellor was an Opposition Member and most Opposition Members attacked his views on the starting rate of tax, I defended it, on the basis of the effect that it would have on the way in which people operated when the only opportunities were low pay and the chance to build on it with overtime. I do not believe, however, that the Chancellor has clearly thought out his idea of a national insurance tax. He will never be able to achieve that starting rate of tax if he conveys to the public that there will also be a 10p starting rate for national insurance. People are not that silly: most can add 10 and 10, and will know that the new starting rate of tax is 20 per cent.

5.42 pm

Mr. David Rendel (Newbury): The Liberal Democrats welcome the Bill, as we did when it was in the House of Lords. We welcome it for a number of reasons, but I welcome it particularly because it gives me an opportunity to show constructive opposition in action.

It is, I think, well known that the welfare reform Bill will come to the House shortly. In my party, it has become known as the benefit cuts Bill, and I think the Government will find that we are unable to support the benefit cuts that they propose. We are therefore glad of the chance to demonstrate this evening that, when we agree with the Government we will vote with them, just as we will vote against them when we have fundamental differences with them. Incidentally, it is splendid to find that today we are in line not only with the Government, but with the right hon. Member for Horsham (Mr. Maude).

The Government are right to consider the long term. Here I take issue with the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith). All too often, the House considers only what will happen over the next few years, and what will happen until the next election. In this instance, the Government have shown that they are prepared to live with short-term costs in return for longer-term savings. I wish that they, and indeed the last Government, had done that more frequently.

We support part I of the Bill—again, for a number of reasons, but perhaps for one reason in particular. As several hon. Members have pointed out, in practice national insurance contributions already have all the characteristics of a hypothecated tax rather than an insurance premium system. Those characteristics include the fact that the amount of benefit payable does not depend on the amount of contributions made during an individual's earning lifetime.

Secondly, we know that a large part of the payments—as has been said, about 75 per cent.—are for pensions. Unlike insurance payments, these payments are made on a "pay as you go" basis. Thirdly, national insurance contributions are already collected alongside direct taxes in the PAYE system. If they are already collected as a tax, it is logical for them to be administered alongside income tax, in a single system. Fourthly, as several of us know to our cost—those of us, for example, who expect pensions dependent on the state earnings-related pensions scheme—the pay-out that results from national insurance contributions during an earning lifetime can all too easily be changed by a Government's later actions. That has happened several times, most recently, sadly, with the cuts in widows benefits—due to be introduced under the welfare reform Bill. People who have made contributions over several years thinking that, if they died, their widows would receive a certain level of payments, are now seeing that those payments will not be anything like as large as they had hoped. The Government expect to make about £500 million-worth of annual savings there.

Under the previous Government, various changes were made to the SERPS regulations, so that the entitlement that people were expecting originally as a result of payments through SERPS is not what they can expect now. In particular, we know that, as a result of a change under the previous Government several years ago, those who become widows shortly after 1 April 2000 will receive a lot less than those whose husbands die just before that date.

Perhaps most important was the abolition of the pensions link to earnings. At that point, those who had expected larger pensions as a result of their national insurance contributions found that they were living in cloud cuckoo land: their pensions would be much smaller than they had previously expected.

Therefore, Governments can make major and significant changes to people's expectations even after their contributions have been made. That means that, in practice, those contributions are much more of a tax than an insurance premium.

Mr. Cousins: Does the hon. Gentleman think that his point, which is to defend the future entitlements to benefits of contributors, would really be improved and strengthened if, as seems to be the policy of his party, national insurance were regarded purely as a tax, and the national insurance fund and actuarial defence of the fund were done away with, which the Bill significantly does not do?

Mr. Rendel: I think the hon. Gentleman has entirely misunderstood my point. I was saying that it is already true that the contributions do not give people a definite pay-out afterwards; I was not saying that it should be true that they do. That in itself proves that the national insurance contributions that we pay now are already, in effect, more of a tax than an insurance premium.

There is another reason why part I is particularly worth supporting. It involves exactly the opposite argument to the one advanced by the right hon. Member for Birkenhead (Mr. Field). It is welcome that people in our communities should recognise the fact that national insurance is already a form of tax. We are misleading them. It is a con trick to pretend to people that, by paying national insurance contributions, they are not, in practice, being taxed.

I entirely agree that, if we con enough of the people enough of the time, it may be slightly easier to raise money out of them and then spend it in ways that we feel

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are appropriate, but that is not an entirely honest way in which to do things. It is important that we in this place should be open, honest and properly accountable for what we do, and that we do not try to mislead people into thinking that they are paying something which, actually, they are not paying.

Mr. Field: I am amazed by the hon. Gentleman's argument. He rightly gives such emphasis to the Liberal Democrats' involvement locally to reflect what people think. I am not advocating that we have a national policy of deceit. All I am asking is whether it is not a useful starting point that most people regard national insurance as different from taxation. Given the resistance to financing the policies that the hon. Gentleman's party would like to have and that the Government wish to continue to promote during the current Parliament, what is the point of trying to knock the fact into people's head and say, "How foolish of you to think of national insurance as a contribution towards your benefits; it is, in fact, merely a tax"?

There is a major difference in people's minds. Taxation is that huge area of money that they lose and over which they do not have a direct say, whereas, with national insurance contributions, for all the worries that we have about Government actions on cutting benefits, people still feel that, in the main, they are well served by that fund.

Mr. Rendel: I should not for one moment accuse the right hon. Gentleman of seeking to deceive people. I suggest that he is saying that people have been deceived, and that we should allow them to remain deceived. I believe, conversely, that we should ensure that people are no longer deceived but realise the truth of the situation—that, in practice, the two things are very similar.

Mr. Cousins: Will the hon. Gentleman deal with the point made both by me and by my right hon. Friend the Member for Birkenhead (Mr. Field), and clarify whether the Liberal Democrats' policy is to do away entirely with the contributory principle? Is it their policy to do away with the national insurance fund? Is it their policy to do away with the actuarial defence of the national insurance fund?

Mr. Rendel: The national insurance fund has, regardless, occasionally to be topped up by taxation: contributions alone do not fund the system. The defence of national insurance contributions being offered—that they are a form of insurance—has, therefore, long been discredited. Whether Liberal Democrats are in favour of that defence is irrelevant, as it is not available. It is only reasonable, decent and honest to admit that fact and to tell people what has happened.

Mr. Cousins: Will the hon. Gentleman give way?

Mr. Rendel: No; I have already given way quite enough in this debate.

The Tories' reasoned amendment suggests two reasons why the Bill should not be given a Second Reading. The first is that the Bill would

"facilitate the ending of the contributory principle".

Although I suppose that they are right to say that, the Bill certainly would not necessitate ending the principle, and it would be wrong for us not to pass the Bill only to raise an artificial barrier to ending the principle.

If the House wished, at some later date, to end the contributory principle, we should have a fair and reasoned debate on whether it would be right to do so. Although there might be differences between the three main parties about whether it would be right to end the principle, we should—for the reasons that have been given, some of which I have enumerated—address the issue at that point, and not erect artificial barriers today by failing to give the Bill a Second Reading.

It was unreasonable for the hon. Member for Chingford and Woodford Green to say that it did not matter that the previous Government were largely responsible for ending any pretence that national insurance contributions are a form of insurance. Every year they were in office, they did so much to destroy the contributory principle and to increase reliance on means testing.

The second part of the Tories' reasoned amendment mentions the "practical difficulties" of transferring functions. The hon. Member for Chingford and Woodford Green was, of course, right in saying that the national insurance recording system 2 has been a disaster, and that it gives us a severe warning about the difficulties of relying on major high-tech projects to deal with some of the problems of government. He was right also in that the Government have been forced to acknowledge the difficulties of NIRS2.

I should like, nevertheless, to congratulate the Government on making no fewer than two U-turns in the past couple of weeks—as I am not one for thinking that making U-turns is a sign of weakness. I am delighted that the Government had the good sense to realise that they made a mistake and consequently to make a U-turn.

The Government's first U-turn was made a couple of weeks ago, after the debate on the contributions uprating, when Ministers were under pressure for refusing to give compensation to the very poorest of those who had been affected by NIRS2. Only a few days later, during the debate on Third Reading in the other place, the Government decided to announce that they would, after all, make a U-turn and provide £10 compensation for all those who had been affected by NIRS2. The U-turn was very welcome, and I congratulate the Government on it.

In the past few days, the Government made another U-turn, on the matter of widows who were asked, under NIRS2, to decide between a widows pension and a retirement pension. In answer to a written question that I tabled to Ministers, we have learnt that widows who were misled by NIRS2 and were unable to choose correctly—so that they might gain the maximum benefit—will be allowed to choose again, after NIRS2 has given them the right information. I congratulate the Government on that U-turn also.

Liberal Democrats support the Bill. As other hon. Members have already said, the provisions in part I have long been Liberal Democrat policy. I understand that part II was based largely on a suggestion made in the other place by Lord Goodhart, in last year's debate on the Social Security Act 1998. We therefore welcome part II also. Part III deals primarily with a technical matter.

We do not believe that the Tories' reasoned amendment carries any real weight. We believe that it is more than a little hypocritical, and hope that it will be not be supported by the House.

5.55 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): I suppose that I have to declare a sort of interest, as I am one of the hon. Members representing the city of Newcastle, where the Contributions Agency is headquartered. I suppose that I also have a small claim to fame—you will understand, Mr. Deputy Speaker, that any small claim to fame in the House is one that should certainly be pressed—in that the national insurance recording system computer is headquartered in my constituency. However, I should add that, fortunately—as you will also understand, Mr. Deputy Speaker—one represents people, not computer systems.

I support the Bill. However, if there had been any indication that its passage would lead to a major loss of employment in my own city, I should of course not be supporting it. If it proposed any major loss of the administrative functions currently performed by the Contributions Agency, I should not be supporting it. If the Bill posed any threat to the contributory principle—as outlined by the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) and my right hon. Friend the Member for Birkenhead (Mr. Field)—I should not be supporting it.

I firmly believe that it cannot be right for the United Kingdom to have such a multiplicity of revenue collection services, and that it must be right to bring together the major revenue collection services. Amalgamation of the Contributions Agency with the Inland Revenue is long overdue, and I hope that that amalgamation will eventually be followed by amalgamation of Customs and Excise with the Inland Revenue. It cannot be right to have parallel revenue collection systems, which are extremely expensive to mount, all duplicating one another's work and imposing a burden both on taxpayers and on those with whom they have to deal.

It cannot be right to continue parallel revenue collection services especially now that we have been given an example of computer systems development and failure. That failure demonstrates the need for administrative unification of the administration services and information technology that supports revenue collection services.

I seek some assurance from Ministers on information technology. I believe that we should proceed as rapidly as we can in achieving unification of the information technology underpinning revenue collection, contributions and benefits. I hope that the Government are fully committed to eventual unification of the computer systems and data networks of the Contributions Agency, the Benefits Agency and the Inland Revenue; to full implementation of the intentions of the national insurance recording system project; to unification of housing benefit with the Benefits Agency; and, ultimately, to bringing the information handling of all those benefit distribution and revenue collection services into one system.

There are practical issues for Newcastle. As my hon. Friend the Minister knows, there is a major private finance initiative project called Prime, begun under the previous Government, which will rationalise the Newcastle sites of the Benefits Agency and the Contributions Agency. I should like an assurance that the project will go ahead in its existing form. Only recently a Newcastle estates partnership was formed, to be run by the Contributions Agency, to take forward the management of the PFI estate project on behalf of the Department of Social Security. Where will responsibility for the project lie when the Contributions Agency is transferred to the Inland Revenue? I should like clarification on where the administrative drive and accountability for the Newcastle estates partnership are to be. Is that to remain with the DSS, whose PFI project it is, or will the responsibility for driving that forward to be transferred with the Contributions Agency to the Inland Revenue? Those are important housekeeping issues for the city of Newcastle. I hope that my hon. Friend will be able to clarify them.

I should like to make a plea for a small group of manual workers caught by one consequence of the merger of the Contributions Agency and the Inland Revenue. The Inland Revenue has a policy of not employing people over 60. The Contributions Agency allows people to work after 60 if they can still make a proper contribution to the service. A very small number of workers are caught not knowing what their employment prospects are. I hope that my hon. Friend the Minister will allow the current employment practices of the Contributions Agency to be extended for that small group, many of whom are low-paid manual workers performing routine functions such as security and portering. They should be able to continue their work without their prospects being affected by the administrative change of functions. I hope that the Minister will assure us that the prospects of casual and short-time employees of the Contributions Agency will not be varied because of the transfer to the Inland Revenue.

The Government wisely said that the Contributions Agency, as it then was, would have the policing function for the minimum wage. It would be sensible if the policing function for the working families tax credit were also transferred to what would have been the Contributions Agency. Those important administrative points need to be clarified.

A broader matter has been introduced in the debate that I do not regard as relevant—the future of national insurance contributions. I maintain a full defence of the contributory principle, the principle of national insurance contributions and the eligibilities and entitlements that go with them. The Liberal Democrats' policy, in so far as it has been made clear this evening—which it has not, to a significant extent—is confusing and worrying.

Mr. Leigh: Will the hon. Gentleman confirm from his constituency experience what I know from having visited the Contributions Agency—that, far from the contributory principle being dead, the staff, who are the hon. Gentleman's constituents, make enormous efforts to ensure that people's contributions are worked out to the nearest week? The public believe that they are contributing to their pension, not paying a tax. That is why the contributory principle is important to staff and to the general public.

Mr. Cousins: It grieves me slightly to have to agree with the hon. Gentleman rather than the Liberal Democrats. Without prejudice to wider political issues, I

[Mr. Cousins]

would instinctively prefer to agree with the Liberal Democrats than with the hon. Gentleman. Sadly, on this occasion I agree with him. The rigour and accuracy with which an enormous number of contribution records have been maintained over generations are among the essential data handling problems that have proved central to the difficulties of NIRS2. The fact that there is a problem is an enormous tribute to this country's historical commitment to national insurance and to the rigour and accuracy with which that information has been maintained by Contributions Agency staff over many years. I am sure that nothing in the Bill puts that at risk. I am sure that Ministers will seek to clarify any such issues that may worry hon. Members.

I should like clarification of one minor issue arising from the exchange between my right hon. Friend the Secretary of State and my right hon. Friend the Member for Birkenhead. I do not regard the transfer of the policy functions of the Contributions Agency as in any way threatening if the functions are those relating to the national insurance contributions system. It would be a possible problem and cause for anxiety if policy for entitlement and eligibility were transferred to the Inland Revenue. It would be helpful to have it on the record that that is not the case. The policy for entitlement and eligibility should clearly remain with the Department of Social Security. On that basis, I am happy to say that I shall cheerfully support the Bill.

6.8 pm

Miss Anne McIntosh (Vale of York): I have tried hard to follow the logic of the transfer of functions from the Contributions Agency to the Inland Revenue, but I have failed to grasp the reasons. I support the reasoned amendment. The Secretary of State, who I regret is no longer in his place, failed to make an adequate case, so he will fail to secure my support for a Second Reading.

The Secretary of State challenged me on the basis that the Conservatives had not taken business views sufficiently into account. The proposal to transfer the agency to the Inland Revenue will place a real burden on business, particularly with the computerisation of the programme to adapt the payroll, and will put an increased cost on the employer as the operator of the programme.

I have taken time over the past two days, since we learned that we were to have this debate today, to ring round and speak to some business leaders, including those representing large, medium and small businesses. Business leaders of companies, large and small, recognise that the Bill will place an increased administrative burden on them, particularly smaller employers. The level and sheer variety of contributions set out in schedule 2 are huge, but the Secretary of State did not refer to that. Many contributions are one-off, and not on-going. For example, statutory sick pay and maternity pay are normally for a limited duration, and are paid over weeks or months, not years. Other contribution schemes are on-going, such as personal and occupational pension schemes.

Presumably it will be up to the employer to register the information on contributions with the Inland Revenue and, presumably, information will be transferred to the Inland Revenue. I accept that, at first sight, this may appear to be a simplified procedure, but the Government are trying to sell the policy as a business-friendly one, and as one that is welcomed by business. That is not the message that I have received—perhaps because I am in opposition, and businesses may wish to share their concerns with an Opposition Back Bencher.

Businesses are extremely concerned that the transfer will impose an administrative burden on them, and they asked the Government to grant them time to prepare adequately for that burden. That point was not taken up by the Secretary of State. He said that the appointed day was just 14 months off—1 April 2000—so I cannot see any evidence that the time for preparation requested by the business community has been worked into the Government's timetable. Perhaps some light will be thrown on that matter in the winding-up speech tonight.

Businesses have expressed concern at the role of the tax inspectors in the process. Perhaps tax inspectors are not the most beloved of all functionaries or officials, but real power is to be concentrated in their hands. It is my understanding that the inspector will have two good reasons to check the books of businesses—first, to investigate the employee's tax contributions under PAYE, and, secondly, to investigate the contributions, entitlements and payments under the schemes listed in schedule 2.

I wonder whether the Government have considered the concerns of business—we have heard no comment. Inland Revenue inspectors will be dealing with the scheme, and that will raise the hackles of the business community. The Government may wish to respond to that point this evening.

Businesses have referred also to their concern at adequately ensuring the confidentiality of their employees' details, which will be available on in-house computers. The current system clearly ensures greater confidentiality and compares favourably with the new approach of transferring the contributions from the Contributions Agency to the Inland Revenue, and transferring responsibility again to the employers. I was mildly surprised that the Secretary of State did not refer to that issue, which was raised in Committee in another place. I wonder whether the Government have taken those concerns on board.

The threat to confidentiality is real and emerges through the pooling of information, as proposed by clause 6 of the Bill, which allows for information being held by the Board to be supplied

"to any person providing services to the Board".

What controls will be put in place to make sure that confidentiality will not be breached? I would like some satisfaction on that point, so I can allay the fears of businesses.

Making the Inland Revenue responsible for administering not just tax and the work of the Contributions Agency but the working families tax credit will create a huge bureaucratic burden. Will there be opportunities adequately to question the Treasury Ministers responsible on the Floor of the House and in Select Committees? If not, that raises the question of genuine and adequate democratic control. Which Ministers will be responsible for replying to our concerns on behalf of constituents?

I was slightly surprised that the Secretary of State was dismissive, particularly when he said that the Bill was technical. However, he got into some difficulty when he moved on to broad policy issues. The questions that I have raised deserve answers.

What will happen to those staff who, through the DSS, normally administer the work of the Contributions Agency—most, but not all, of whom are based in the constituency of the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins)? Have the staff been consulted? Will they be required to move, following a merger and a transfer, to the Inland Revenue? Do the Government stand by the statement made by Baroness Hollis in the other place on 10 December last year, that 200 jobs will be lost countrywide—most of them, perhaps, in Newcastle? Is that a conservative estimate? Will more than 200 jobs be lost throughout the country?

I wish to place on record my concern at the extension of means-testing and the move towards ending the contributory system that pervade the Bill. The Government are cutting and manifestly means-testing pensions. The latest example of that is the Government's new bereavement benefit, which is causing great concern to my constituents.

Mr. Leigh: The Secretary of State repeated the commitment on behalf of the Government that there was no intention to means-test the basic state pension. Does my hon. Friend agree that that is a worthless commitment since, by 2050, the basic state pension will be worth only 7 per cent. of average earnings? The Government are therefore ensuring that most pensioners will be in receipt of a pension that bears no relation to what they have put in through taxation or national insurance contributions.

Miss McIntosh: I agree with my hon. Friend.

The Government have asked to be judged on their record. They were elected on a pledge to cut social security expenditure but—by their own admission—the contribution to social security bills throughout the country will go up by £1.5 billion as a result of the working families tax credit. The Government would like to be judged also on their record on pensions. However, they are already means-testing pensions. The latest example is the new bereavement benefit. Widows and widowers with no dependants will have their benefits withdrawn after six months, in spite of contributions having been paid on their behalf by their spouse. The Government have clearly started on the slippery slope towards means-testing, and the Bill expedites the process.

I have not been persuaded by the Government's arguments this evening. They have failed to address the concerns of business and of those who will no longer benefit from the new bereavement benefit after six months. It is clear that the bureaucratic overload on one particular Department, the Treasury, will be extreme. The costs of the transfer wildly outweigh any long-term benefits that the measure will bring. As the right hon. Member for Birkenhead (Mr. Field) said, it is a camouflage. I am persuaded that at the heart of the Bill is a camouflage hiding the introduction of a 10p starting rate for income tax by simply introducing a 10p national insurance starting rate. That would take us back to a 20p starting rate, which sounds terribly familiar. I support the amendment and I oppose Second Reading.

6.20 pm

Mr. Geraint Davies (Croydon, Central): This is another example of Labour acting decisively in the interests of business, the economy and good government, whereas the previous Government, under the auspices of Sir George Young, simply prevaricated and pathetically failed to recognise the—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must remember that if he is referring to another Member of Parliament he should do so in the third person and not by name.

Mr. Davies: Indeed.

The previous Government stumbled on with the somewhat inefficient and duplicatory system and made it worse by bungling over the contract for the new national insurance recording system, NIRS2. The new Government faced a legacy of structural inadequacies that had not been faced up to, alongside impending operational chaos. They took and continue to take a long view, sorting out the operational as well as the structural problems.

The Bill represents a better service for both business and consumers, arising from an amalgamated national insurance and PAYE income tax system. It has been welcomed by the Institute of Chartered Accountants, which says that it should reduce red tape; by the Public Accounts Committee, which says that it represents a significant reduction in the administrative burden on employers; and, generally, by the Confederation of British Industry, the *Financial Times* and others.

The Bill will make it easier to align national insurance and PAYE. I know that there are some reservations about whether we should do that. Liberal Members have mentioned the report from Bath university in November 1998 and were bullish about how alignment would get rid of structural distortions in the labour market and help employment. Employers are all for it, and I realise that there are some reservations about that, but it is good in principle to have the option available.

The change makes logical sense, because the Inland Revenue already collects 94 per cent. of national insurance contributions. Having two separate agencies seems somewhat daft, as the Inland Revenue is already the collection agency for the Department of Social Security.

The primary case against the change, urged by the Opposition, is that it undermines the contributory principle and is objectionable as part of a trend towards means testing. It is true that the major growth in benefits has been in means testing, but that does not necessarily imply a threat to the contributory principle; it simply reflects the more complicated world in which we live.

National insurance was based on a world in which everyone worked 35 or 40 hours a week for perhaps 40 years; it was not set up to cater for the complexities of part-time work, disability, women in work, a mobile jobs market with shifting careers and the complex needs of targeted benefits. The old contributory method did not cater adequately for those complexities, but that is not to say that it is not of value in itself.

The contributory principle is good for pensions, but means testing and category benefits, such as child benefit, are appropriate for particular groups with

[Mr. Davies]

particular circumstances, as they can be adapted to take account of a changing job market and specific needs such as those of families. That is why, since the 1960s and 1970s, the major growth of benefits has been in three major areas: housing benefit and in-work benefits, which are income related, and category benefits such as those reflecting rights for the disabled and others.

There is a misunderstanding in this debate, because although the administration merger is a necessary condition for alignment of national insurance and tax, its introduction does not mean that we need such an such alignment; and even if we have that alignment, that does not mean that we get rid of the contributory principle, as I attempted to say when I mentioned hypothecation and ring fencing. There will be a mixed economy for the delivery of benefits, and that is right and modern and should not be objected to.

The Opposition argued that the previous Government ruled out the merger on the basis of cost, but the present discounted value to the Exchequer is positive: the front-loaded costs of £16 million in the first year and £17 million the next year, moving into positive savings of about £4 million after that, discounted over time, will give a benefit to the Exchequer; and the real benefit that has not been counted is the enormous cost saving to the business community, which will increase competitiveness for the British economy. There is an especial significance for small and medium enterprises: with an integrated service they will not have to tie up entrepreneurial time on tedious accountancy for different agencies or spend money on expensive accountants.

It has also been argued that the merger is poorly timed as it comes in the middle of an information technology crisis caused by NIRS2. We know that major problems are occurring, but the simple fact is that those problems are contained in the NIRS2 system, which will simply be moved over, so they have no bearing on the decision.

NIRS2 was purchased from Andersen Consulting after it tendered at about a third of the price of its nearest rival. In spring 1996, about three months after the contract had been agreed, there was a secret meeting between Andersen Consulting and the then Chancellor, Secretary of State for Social Security and Chief Secretary to the Treasury, at which, as was recently disclosed to the Public Accounts Committee, they agreed to rip up the contract and replace the big bang approach—with everyone put in place at once and everything running hunky-dory—with a step-by-step approach.

The enormous problems that are arising—for instance, about 14.5 million contributions had not been posted correctly at the end of last year—are linked with that changed contract and with the mismatch of expectations and targets inherent in a defective agreement made behind closed doors by former Ministers and Andersen Consulting.

At the end of last year, only 61 per cent. of national insurance postings were in place, when the internal target was 90 per cent. When asked to comment, Andersen Consulting was comfortable with that fact and said that there was nothing wrong with the system and there must be something wrong with the Department's verification, or the validation of individual contributions, or perhaps the employers did not really understand the forms. It said that it was conceivable that something was wrong but that it was nothing to do with the system itself.

It appears that the contract is drawn up so as to allow Andersen Consulting to avoid paying any real compensation, although there are compensation clauses. We are in the throes of putting the system back together to create a sensible regime and make progress, which I welcome, alongside the structural changes that we are implementing.

The merger makes sense from a business and a Government administration point of view. The legacy of operational difficulties that we have inherited is irrelevant to it. In my view, there is no conflict with the contributory principle and we should support the Bill with vigour.

6.29 pm

Mr. Edward Leigh (Gainsborough): Some hon. Members, on arriving here today, will have expected the debate to be highly technical and of interest only to those with a detailed knowledge of social security matters. However, it has been very interesting, especially because of the mini-debate between the right hon. Member for Birkenhead (Mr. Field) and the hon. Member for Newbury (Mr. Rendel). Both seemed to accept that the Bill was a fatal blow to the contributory principle that lies at the heart of our social security system. However, there was a slight dispute between them, as the hon. Member for Newbury seemed to imply that the contributory principle was already dead and that we should be realistic and kill it off finally with the Bill.

I do not think that the contributory principle is dead at all. As I said earlier, it is taken very seriously by those who work in the Department and by those who pay contributions for their entire lives. I once stood behind a constituent of the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) as she worked on a computer to calculate, to the nearest week, the contributions made by a particular gentleman over a working life of 40 years. Her hope was that that man's pension would bear some relation to what he had paid in contributions throughout his working life.

The Bill proposes merging the Contributions Agency into the Treasury. I should have liked it to be far more radical and interesting and to give greater independence to the Contributions Agency. The Bill that I should have preferred would have created a national contributions agency, based firmly and squarely on actuarial principles: people would pay a set proportion of income into a personalised fund that could be used later to fund their pensions. That would appear to be a radical reform, but it has been tried in many countries and there is nothing new about it.

We should be moving in that direction, but we are going the opposite way. The Government are not personalising the pension system at all. The Bill is about the Department of Social Security losing half its function. That is very serious. The DSS will be—primarily and exclusively—a delivery system. It will have no real involvement in raising the taxes and the contributions that fund the benefits that it pays out to people. It will be about as important as the man who delivers the milk, who has no input about what goes into the bottle. The Treasury will decide everything.

The Secretary of State gave the game away when he opened the debate. He is a former Treasury man, and he said that he had no qualms about the Treasury taking more and more control over such matters. He is the Trojan horse, placed in charge of the Department by the Government to ensure its subservience to the Treasury. That is what the debate is all about. The Department of Social Security is paying for the bad karma—to use a topical word—of the Secretary of State's previous life as Chief Secretary to the Treasury, when he saw the reforms that the right hon. Member for Birkenhead was trying to introduce.

When I think of the future role of the DSS after this Bill and others like it are passed, I am reminded of a debate that took place in my family a few years ago. True, our income was large, but our outgoings were even larger, and for two days we discussed what we could save. Could we save on the mortgage, or on other big expenditures? We finally decided that we could save on birdseed.

The point of that story is that it does not matter that the Secretary of State will be dispersing £90 billion. He will have no real control over his budget and will no longer run an independent Department. That is a matter for sadness. It is an attack on something which all hon. Members should support—the contributory principle. Labour Members will troop through the Lobby tonight to support the Bill. They should be ashamed of themselves.

6.34 pm

Ms Gisela Stuart (Birmingham, Edgbaston): I am delighted to follow the hon. Member for Gainsborough (Mr. Leigh). I wonder whether he fed his birds with cake crumbs as a result of his savings measures. I am also somewhat intrigued to be taking part in a debate in which the Bill has been made out to be the end of welfare as we know it. Either I am missing something, or some extremely creative reading is going on.

The Bill is both necessary and welcome. When the Government came into office less than two years ago, the welfare system was in dire need of modernisation. That need was quite independent of any change of policy. The status quo was unacceptable: the technology was outdated and the system impossible to administer. There was a lack of cohesion, and benefit chimneys built up as a result.

I am intrigued that so many members of the Select Committee on Social Security are in the Chamber today. I am sure that they will recall a meeting with the Chancellor of the Exchequer at which the direction of the Government's welfare policy was discussed. My right hon. Friend the Chancellor said that we had grown up with a system under which Governments collected taxes into one pocket and handed out benefits from another. That system completely ignored the fact that the Government want people to work if they can, but he said that there was no way to get them back to work without some co-ordination of tax collection and the administration of benefits. My right hon. Friend told us that the philosophy of the Treasury and the Department of Social Security was to make work pay, which involved some co-ordination between taxation and benefits.

The Inland Revenue and Customs and Excise are the two main tax-collecting agencies, and the national insurance collection system also plays a part. However, the national insurance system, since its introduction after the second world war, has never been truly insurance based. To some extent, the argument about hypothecation is phoney, as the fund is actuarially ring-fenced. That is significant.

Mr. Cousins: May I draw my hon. Friend's attention to a matter that hon. Members too often forget? At present annuity rates, to build up a personal pension plan that would bring in income at the basic pension rate would probably require establishing a contribution fund of about £80,000. As a matter of practical fact, millions of our constituents receive basic pension entitlements far more valuable at the basic rate than anything that they could aspire to if payment were made simply on the basis of what they could afford to contribute. In that fundamental and obvious sense, the national insurance system is still very much part of our social fabric.

Ms Stuart: My hon. Friend's intervention does not contradict the point that I am making. Also, low annuity rates reflect low inflation and a steady economy, so the whole economic climate must be taken into account when considering those rates.

I do not suggest that national insurance and the contributory principle have come to an end, but I draw the House's attention to some research by the Department of Social Security that was published in August 1998. The report stated:

> "respondents had little direct experience of benefits, and only a hazy perception of the structure of the National Insurance scheme; few had thought systematically about how they would cope with unemployment, sickness absence from work or retirement; in the absence of direct experience, media reports of policy debates or of issues such as fraud could be influential in shaping their views".

In view of the time, I shall not go into further detail, but the report makes it clear that a myth has been built up that members of the public have a clear idea of how taxation and national insurance contributions work.

I also recall some research that found that one third of school leavers did not realise that money would be deducted from their wages. Never mind what the various deductions might be—they did not think that anything would be deducted.

Let us focus on what the Bill will do, which is significant. As my right hon. Friend the Secretary of State made clear in his opening speech, the Bill does not, at this stage, change the way in which national insurance contributions are calculated or how they interact with taxation. However, it is a first step in bringing together that which must be brought together in the interests of good public policy and administration.

I beg the House's indulgence while I remind hon. Members of what the task force headed by Martin Taylor said when it considered the problems of alignment between income tax and national insurance. That is not a theological debate, but an examination of the concrete question of why the two systems do not work properly. The first main area of concern was the base of charge: income tax is levied on earned income and benefits in kind, whereas national insurance contributions do not currently reflect benefits in kind. Reliefs and rebates are inconsistent in relation to taxation; the periods of assessment are different; and the structures of charge are different. If the Government are serious about making work pay, the basis of national insurance and taxation must be aligned to some extent.

[Ms Stuart]

Martin Taylor said:

> "At present, benefits in kind are not subject to NICs, other than the employer-only Class 1A charge on company cars and car fuel. This gives employers an advantage in offering benefits in kind, so reducing the NICs yield and distorting competition. However, it does not look straightforward to value benefits in kind, at least on anything like the income tax rules".

He also argued that there was clear evidence that business and employers welcomed the combining of national insurance contributions and taxation, because that would be easier to administer. The previous Government failed to address the difference between the costs to Government and the costs to business. There may be considerable costs to the Government, but we must look seriously at the reaction of business.

I wish the Bill went further in one respect, which relates to schedule 6 and exchange of information. We are all concerned about confidentiality and privacy, but if we are—

Miss McIntosh: We are.

Ms Stuart: So are Labour Members. We have all seen constituents who complain about having to fill in endless forms to claim benefits and say, "But I told them before . . . " It seems to them that the same form has to be filled in again and again. That causes considerable hindrance, especially to pensioners who become sick and tired of filling in forms. There is scope for the greater transfer and integration of information gathered for benefits or taxation purposes, and that will help people in need. Similarly, we need to ensure that fraud is designed out of the system, for if fraud is prevented in the first place, we can stop wasting resources on chasing fraudsters.

I urge the House to take the Bill at face value. It is important administratively and will allow us to move forward to the second stage. Move forward we must, because the current benefits and taxation systems are unacceptable. I hope that the Opposition will see the error of their ways and welcome the Bill as I do.

6.44 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): It is a pleasure to follow the hon. Member for Birmingham, Edgbaston (Ms Stuart), who was a distinguished member of the Select Committee on Social Security and has now moved on to higher, if not necessarily better, things.

I agree that we have to move forward; no one would try to defend the status quo. However, two things struck me as I listened to the debate. The first was the Secretary of State's announcement that the date of implementation would be 1 April 1999. I am nervous, because I fear that that is too soon. Anyone who thinks that the transfer will be a straightforward and easy piece of work, to be carried out at administrative office level, is mistaken.

I understand that there is a political imperative: Governments always want to get things done and move forward, because if they fail to do so they are criticised for not moving fast enough. However, in my experience such changes, if they are not timed properly, can cause far more trouble than they are worth. Regardless of whether changes are right or wrong, they have to be planned carefully. My concern is that we are trying to make the change too quickly and that the benefits of the change might be lost to us as a result. We might be unable to capture the positive results of the change if we do too much, too quickly.

The second point that struck me is that there is a huge cultural difference between the two Departments which has not been recognised in the debate. The way in which the Inland Revenue works, the time scales to which it does its calculations, its systems and its methods are entirely different from those employed by people working in DSS agencies such as the Contributions Agency.

I went on a brief visit to Newcastle with the Social Security Committee a few months ago. I was deeply impressed by the commitment of George Bertram and his staff and I am sure that they will make every effort to ensure that the change works. The hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) will agree that that is so. We often fail to recognise the work done on our behalf by civil servants in the agencies, so it is worth putting it on the record that they do a splendid job keeping a creaking system going, sometimes at great personal cost and for little reward. However, the combination of the culture shift that is needed and the time scale within which the change is planned cause me concern.

I support the Bill and will be happy to vote for its Second Reading. It comes as no shock to me to learn that there are to be changes to the tax structure and that the Government have in mind a design that aligns income tax and national insurance. That is obvious to anyone who is aware of the fact that, from this April, the Government are introducing changes to the employers class 1 contributions, which are to be raised to a new earnings threshold set at the level of personal tax allowances. There is clearly a big change in view. However, I should like to quote a couple of sentences from the Green Paper on welfare reform and ask a few questions about them.

The Green Paper said:

> "future reforms will align the lower earnings limit with the single person's tax allowance ensuring that no one pays National Insurance for the first £81 of their weekly earnings and that all employees earning between £64 and £81 would have their rights to benefit protected".

It is the last clause—

> "would have their rights to benefit protected"—

that causes me concern. If the lower earnings limit is to be raised in that way, how will those earning less than that be protected? What physical administrative steps are to be taken to keep track of their earnings? How does that fit in with the continuation of the contributory principle? That is an important question, because it is illustrative of how confused the Government might become in future if they are not clear about the direction in which they are going.

My second question is whether we should now recognise that national insurance contributions are a "social security tax". That is how the Chancellor inadvertently described NICs in a broadcast—a Freudian slip of which the right hon. Member for Birkenhead (Mr. Field) reminded the House earlier. If NICs are not such a tax, are we safe in the knowledge that the insurance principle is safe in the Labour Government's hands? The hon. Member for Edgbaston referred to a piece of research of which I, too, am aware, our having shared it as members of the Social Security Committee. It reveals a huge vagueness and a lack of clear information about the relationship between contributions and entitlements.

I am perfectly willing to support this technical measure, but I am unhappy about slipping towards an abolition of the contributory principle without proper debate. Whether the principle is right or wrong, it is important to debate it properly and coherently. The Social Security Committee has already set its sights on an inquiry into the contributory principle—it has devoted a huge chunk of its yearly programme to that question. It may be that the principle can be modernised and given a new lease on life or that we should recognise reality—as my party believes—and abolish it. However, it is undeniable that we need a debate and that the Government should lead it. They should not seek to make changes by default. If the Secretary of State is to be believed, the Government need have no fears about that process. However, we shall hold it against the Secretary of State if he tries to achieve change through some back-door means or political sleight of hand.

The Secretary of State was correct to say that he will inform the House about existing practical difficulties with the national insurance recording system, NIRS2. However, the problem is much more fundamental. I think that our constituents deserve protection and compensation and I am worried that PFI—the private finance initiative—is no longer a sensible mechanism to consider when it comes to huge computerised systems in any Government Department.

I have another subsidiary question that relates to my earlier culture point. Andersen Consulting is to introduce a huge new system, NIRS2, into the Inland Revenue, but Electronic Data Services does all Inland Revenue computing at present. I foresee huge interface problems. It is a question of culture which I believe will be almost impossible to address between now and 1 April. I urge the Government to conduct a full-scale review of the mega computer data processing information technology projects with a view to ascertaining their future feasibility. I am sure that the National Audit Office will insist on such an inquiry.

I am interested in clause 20—it raises a point to explore in Committee—which refers to the ultra vires payment of nearly £500 million. Although there was a legislative duty to make some pension payments under the contracted-out money purchase schemes, there was no authority within the Pensions Act 1995 to finance them through the national insurance fund. That is a huge error and a huge amount of money. How was it discovered? Did the National Audit Office pick it up? That mega mistake allowed the Government to spend, ultra vires, £500 million in public money and, if the National Audit Office did not find it, I would like to know who did.

I am prepared to support the Bill, but the Government must move slowly in taking this administrative step. I hope that the Government will undertake to conduct a proper debate about the social insurance scheme principle before taking any steps down the road to diminution or change. The House of Commons must have a proper chance to debate the issues.

6.54 pm

Mr. Steve Webb (Northavon): I am delighted to see so many Labour Members in the Chamber to hear my contribution. The Bill raises some important issues, and I am delighted that the Government have allocated a full day of parliamentary time in which to discuss them.

It is a pleasure to follow my right hon. Friend in prospect, the Chairman of the Select Committee on Social Security, the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who proposed a debate on the contributory principle. The Bill raises questions about the future of the principle that are mentioned explicitly in the Conservative reasoned amendment, which I shall address in my brief remarks.

The Conservative amendment urges hon. Members not to vote for the Bill because it will facilitate the ending of the contributory principle. Would that necessarily be such a bad thing? The national insurance system was introduced in the 1940s, with flat-rate contributions paying for flat-rate benefits. That was not pure insurance because the insurance premium paid did not relate to the risk of receiving benefit. The classic example is that male and female employees paid much the same contributions although they were entitled to pensions whether they lived to be 60 or 80. The system did not look much like pure insurance initially and, as time went on, it began to look less and less like an insurance system.

Earnings-related benefits and partly earnings-related contributions were introduced in the 1960s. Contributions became more earnings related in the 1970s and earnings-related pensions were introduced. During the 1980s—it is ironic that the Conservatives should be moving this reasoned amendment—national insurance rowed back from its high water mark of the late 1970s. The Conservatives made several significant changes, one of which was increasing national insurance contributions while cutting national insurance benefits. That is a clear erosion of any residual contributions principle.

My hon. Friend the Member for Newbury (Mr. Rendel) has already enunciated the official Liberal Democrat position, which allows me to indulge in some free thought, unfettered by the usual shackles of party discipline—I say that only to make my hon. Friend a touch nervous. What is the contributory principle that the Conservatives are so keen to defend and believe might be undermined by the Bill? It is that there is some close link between contributions and benefits. However, it is clear from the debate that any such link is extremely tenuous and is growing increasingly more so.

The case study in this area must be pensions. They are by far the largest item of contributory benefit expenditure and, if they do not honour the contributory principle truly, we might as well give up and go home. It has been said that the Bill does not involve abolition of the national insurance fund: a separate national insurance fund and a separate consolidated fund will continue. What a joke. What is the point of having a separate national insurance fund? If it does not have enough money, it is topped up through general taxation. Therefore, why preserve the farce that national insurance contributions are any different from general taxation? I would go further than that. More than half of national insurance revenues come from employer national insurance contributions that have no insurative content. So, the whole thing is a complete sham.

[Mr. Steve Webb]

On the benefit side, in what sense are pensions—the main national insurance benefit—linked to national insurance contributions? The answer is that there is hardly any link. Growing numbers of people will reach old age and enjoy full entitlement to the basic state pension. These days, one must try quite hard to avoid that full entitlement in old age. What is the point of having all the paraphernalia for keeping records for 40 or 50 years when, at the end of the day, there is a flat-rate benefit? That is not insurance; it is taxation. We are no worse off for that.

We must ask ourselves a fundamental question: what would we lose if we abolished the national insurance contributory system? We would lose national insurance benefits as a category. Why do we have separate national insurance benefits as opposed to means-tested or categorical benefits? It seems to me that there is only one defence of separate national insurance benefits: people feel more positive about claiming them. There is less stigma and thus less of a problem with take-up.

That is also true of categorical benefits: there is no stigma associated with claiming child benefit or the age addition to the old-age pension. In the case of pensions—the main contributory benefit—we should do away with the farce that it is all to do with contributions. We should pay pensions to people as of right and build on the 25p age addition, which is not contributory because it is paid in full to anyone who receives a pension. It is categorical. The 25p age addition has all the qualities that we desire and, if we build on it and move to a system in which the basic state pension is tiered with age, we will be able to target poverty effectively without relying on means-testing. The whole point of national insurance benefits is to reach people about whom we might be worried, but that can be done through other means, principally through the basic state pension, tiering that to age.

My final reflection on national insurance benefits is that they are a system not of inclusion, but of social exclusion. As the hon. Member for Croydon, Central (Mr. Davies) said, those benefits were designed for a world of male, full-time workers. In other words, they exclude large numbers of women from benefits. Do we want to preserve that system into the 21st century? Clearly not, in my judgment. Most people receive basic pensions, but many women and low-paid workers are excluded. Why not move to a system of categorical benefits for pensioners?

In conclusion, there is no case whatsoever for a separate system in which national insurance contributions go into a pot—if there is not enough money in it we find more from somewhere else—and in which we pay out a categorical benefit to elderly people which excludes only a few vulnerable people. My hon. Friend the Member for Roxburgh and Berwickshire is right to say that we need a debate on this subject, but the Conservatives' reasoned amendment which suggests that we should not vote for the Bill because it would undermine the contributory principle is fundamentally flawed.

7.1 pm

Mr. Quentin Davies (Grantham and Stamford): There is a general sense in the House that the winding-up speeches in this debate should not be too long, so I shall try to be brief and I hope I shall be forgiven for not dealing with all the individual contributions in the detail that a great many of them deserve.

The debate has been a memorable example of the utility of Parliament and of Second Reading debates, because what was regarded by many hon. Members—and, no doubt, most people in the country—as a Bill that dealt with a boring administrative adjustment under a boring bureaucratic title has been revealed as a momentous and extremely damaging step towards the destruction of our national insurance system.

Not only has the decision of my hon. Friends and me to oppose the Bill been thoroughly vindicated by what has emerged regarding its true nature and intent, but we have had high drama—a chasm of difference on this subject has emerged within the Labour party. The Secretary of State has gone on the record this evening as saying that the Government are examining the whole contributory principle—so the cat is out of the bag. The agenda is absolutely clear. Some Labour Back Benchers have reacted with necessary horror. I refer to the distinguished contribution of the right hon. Member for Birkenhead (Mr. Field), who described the move as extreme folly and an extraordinary policy, as indeed it is.

Labour Back Benchers who are more obviously loyal—I think that that is the polite description—have promoted an even more far-reaching agenda and suggested that the Bill ought to go the whole hog and entirely remove the separate character of our national insurance system.

It was obvious to all of us who read the Bill when it was published that it represents, at the very least, the abject subjugation of the Department of Social Security to the Treasury. The Bill is full of phrases such as

> "such payments by way of adjustment as the Secretary of State determines (in accordance with any directions of the Treasury)",

and

> "such payments by way of adjustment as the Inland Revenue may determine",

and

> "any determination by the Secretary of State under that subsection must be made in accordance with any directions given by the Treasury."

The Bill represents complete surrender by the DSS to the Treasury.

Some people will ask, "What is new?" because that has been the de facto position, certainly for the last year and probably since the last election. We know that the Treasury vetoed the pensions Green Paper drafted by the right hon. Member for Birkenhead and has been giving instructions to the DSS during the past six months steadily to increase the element of means testing in our welfare system, with the sad consequences that have been described by many hon. Members today. I have no idea whether the firm reaction by Opposition Members to that extremely damaging tendency over the past weeks and months has brought about a rethink by the Government. If it has not, it is clear that the agenda has a very long way to go.

It is obvious that the Treasury has been running the show for some time. I remember, at Treasury questions not so long ago, asking the Secretary of State, then Chief Secretary to the Treasury, whether there was any point in having the DSS, since the Benefits Agency was responsible for handing out the money in the country and the Treasury obviously made the policy in Whitehall. In his usual way, the right hon. Gentleman managed to avoid giving a straight answer. Now we have the Bill, and we see, de jure, written into our law, the shift of the DSS towards becoming an executive agency of the Treasury—a shift to which we have been drawing the attention of the House and the public for some months.

As if that were not enough, the Secretary of State has revealed this evening that he is giving the Treasury the Department's policy function as well as its administrative function. As the right hon. Member for Birkenhead said, the Secretary of State has given away at a stroke half his empire and 40 per cent. of his revenue.

There has been a sub-plot this evening which, as in the best Shakespearean tradition, has acted to some extent as farce to heighten the high drama of the main plot. A chasm is emerging between Liberal Democrats, or what is left of them. The Liberal Democrat spokesman on pensions, the hon. Member for Northavon (Mr. Webb), is so keen to fawn on the Government at every opportunity that he said that the contributory principle was as good as dead and buried. Beveridge, Lloyd George and Asquith would be turning in their graves if they knew that, at the end of the century which began with the Liberal party being a great force in the land, the party's last remaining representatives were prepared to go along with a new Labour Government to bury one of the great achievements of the Liberalism of their day.

It is much to the credit of Liberal Democrat Back Benchers such as the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who could not avoid their duty, that they subtly but decisively, as the hon. Gentleman so bravely did, rejected the subservient course adopted by the Liberal Front Bench.

The great concern of the House this evening must not be the Secretary of State's loss of amour-propre or the destruction of the DSS, let alone the puny arguments of the modern Liberal party, but the people of this country, who have been proud of their national insurance system. They have contributed to that system and continue to do so in good faith, but they now find that the Government's agenda is to undermine it and bring to naught what has been built up as one of the great achievements of 20th-century politics in the United Kingdom.

7.9 pm

The Minister of State, Department of Social Security (Mr. Stephen Timms): This has been a wide-ranging and interesting debate. It is hard to believe from the speech of the hon. Member for Grantham and Stamford (Mr. Davies) that this is a technical Bill, which moves around parts of the machinery of government. We have had the opportunity to range over topics from welfare reform and the contributory principle to the information technology system used in the Contributions Agency. Very little has been said, certainly by Conservative Members, about what the Bill does.

It has been established during the debate that representatives of business and—as my right hon. Friend the Secretary of State drew to the attention of the House—the shadow Chancellor, the right hon. Member for Horsham (Mr. Maude), think that what the Bill does is right. Indeed, they think that it is overdue because of the failure—as so often—of the previous Government to act. Business does not want the transfers to be delayed, especially not on the wholly specious grounds advanced by Conservative Members.

The shadow Chancellor supported what is proposed in the Bill in 1995 in a report to the then Deputy Prime Minister, the right hon. Member for Henley (Mr. Heseltine). I do not know whether members of the shadow Cabinet ever talk to each other about these matters. The hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) said that he was a friend of the shadow Chancellor. The shadow Chancellor supports what the Bill does, yet the Opposition are opposing it. Now that we have the benefits of joined-up government, it is a shame that we cannot have a little joined-up opposition as well.

I commend to Opposition Members the shadow Chancellor's views on this matter. It would be well worth their while reading them. The right hon. Gentleman very clearly spelled out in the report of his deregulation task force, which was published in autumn 1995, that he was arguing for

> "closer alignment of the PAYE and National Insurance contributions systems, to be administered by a single agency".

He went on:

> "Apart from saving public money, this would eliminate the burden of double accountability and interference for employers, and reduce the time needed for workplace taxation. This issue has been endlessly debated in Whitehall. A decision should now be made."

Of course, he was absolutely right. Conservative Members should take note of his views. Despite his robust support, we anticipate the ludicrous sight of Opposition Members opposing this straightforward technical measure, the only effect of which is to reduce the burden on employers.

Has something changed since the shadow Chancellor reached his eminently sensible conclusion? That is not so according to the Chartered Institute of Taxation, which said in October:

> "We are pleased to note that the Inland Revenue and the Contributions Agency are to merge their field forces".

The Institute of Directors, to which the hon. Member for Vale of York (Miss McIntosh) referred, said in October:

> "We welcome the transfer of the Contributions Agency to the Revenue".

The British Chambers of Commerce—what a long way we have come from the days when the Tory party saw itself as the voice of small business—said in October:

> "the merging of the Contributions Agency into the Inland Revenue has our full support".

Yet the Opposition are opposing the Bill. The shadow Chancellor's excellent report, which I commend again to Opposition Members, spells out at some length the benefits of the measure.

My right hon. Friend the Member for Birkenhead (Mr. Field) expressed concern about the transfer of national insurance policy. I want to make it clear that that transfer was part of the Bill from the outset. It was in schedule 3 to the Bill that was debated in the other place. Policy on benefits entitlement will of course remain with the Department of Social Security. The policy concerned is dealt with by 20 people; a very small number of people are transferring from the DSS to the Inland Revenue.

My hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) welcomed the Bill. I am particularly grateful that he was able to do so on behalf—quite rightly—of his constituents, many of whom work for the Contributions Agency in Longbenton.

[Mr. Stephen Timms]

The hon. Members for Newbury (Mr. Rendel) and for Northavon (Mr. Webb) also welcomed the Bill, for which I am grateful. The hon. Member for Vale of York said that she could not understand the case for the Bill. I simply refer her to the case made by the shadow Chancellor, which she will find very informative.

My hon. Friend the Member for Croydon, Central (Mr. Davies) was absolutely right to draw attention to the measure's benefits, not just in terms of Government spending but to business and the nation as a whole. That is the basis for the change that we are making, and the basis on which I commend the Bill to the House. We shall no doubt have some interesting debates in Committee. The Bill is technical: it makes sensible changes to improve the administration of the national insurance system, which have long been argued for by many Members on both sides of the House.

Such moves of the machinery of government are as old as bureaucracy itself. The Inland Revenue was formed in 1834 by the amalgamation of the then boards of stamps and taxes. The Treasury directed the commissioners of stamps and taxes to recall

> "the necessity of making arrangements, as expeditiously as possible, for consolidating the duties of the several offices employed under your direction with a view to effect every practicable reduction in your United Departments which may be consistent with the security of the Revenue."

Opposition Members would no doubt have been against that.

We, too, seek to maintain the Revenue's security in the integrity of contribution records and benefits. Rather than cutting costs for the sake of cutting costs, the transfer is driven by a determination to deliver better service. As the shadow Chancellor has pointed out, it is a sensible measure. I ask the House to support it.

Question put, That the amendment be made:—

The House divided: Ayes 132, Noes 322.

Division No. 60] **[7.17 pm**

AYES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Horam, John
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Sir David Madel and
Mr. Tim Collins.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*

Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. Jim Dowd.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

SOCIAL SECURITY CONTRIBUTIONS (TRANSFER OF FUNCTIONS, ETC.) BILL
[*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Social Security Contributions (Transfer of Functions, etc.) Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenses incurred by a Minister of the Crown or government department under the Act, and

(b) any increase attributable to the Act in the sums which under any other Act are payable out of money so provided.—*[Mr. Mike Hall.]*

Question agreed to.

SOCIAL SECURITY CONTRIBUTIONS (TRANSFER OF FUNCTIONS, ETC.) BILL
[*LORDS*] [*WAYS AND MEANS*]

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Social Security Contributions (Transfer of Functions, etc.) Bill *[Lords]*, it is expedient to authorise a payment out of the National Insurance Fund into the Consolidated Fund in respect of payments made under section 42A(3) of the Pension Schemes Act 1993.—*[Mr. Mike Hall.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Departments (Northern Ireland) Order 1999, which was laid before this House on 26th January, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on 11th February, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Union documents), the Speaker shall—

(i) put the Questions on the Motions in the name of Mr. Secretary Michael relating to Local Government Finance (Wales) not later than Four o'clock;

(ii) put the Questions on the Motions in the name of Mr. Secretary Dewar relating to the Local Government Finance (Scotland) Order 1999 and the draft Housing Support Grant (Scotland) Order 1999 not later than one and a half hours after the commencement of proceedings on the first such Motion; and

(iii) put the Questions on any Motions in the name of Mr. Secretary Dewar relating to the draft Scotland Act 1998 (Transitional and Transitory Provisions) (Finance) Order 1999 and the draft Scotland Act 1998 (Transitional and Transitory Provisions) (Appropriations) Order 1999 not later than Seven o'clock.—*[Mr. Mike Hall.]*

Food Standards

Motion made, and Question proposed,

That a select committee of thirteen Members be appointed to report on the draft bill on the Food Standards Agency (Cm. 4249);

That Ms Diana Organ, Ms Sally Keeble, Audrey Wise, Dr. Howard Stoate, Dr. Lewis Moonie, Mr. Martyn Jones, Mr. Kevin Barron, Dr. Stephen Ladyman, Mr. Owen Paterson, Mr. David Curry, Mr. Robert Walter, Dr. Peter Brand and the Reverend Martin Smyth be members of the Committee;

That the Committee have power

(a) to send for persons, papers and records;

(b) to sit notwithstanding any adjournment of the House;

(c) to adjourn from place to place within the United Kingdom;

(d) to appoint specialist advisers; and

(e) to communicate to any select committee of either House their evidence and any other documents relating to matters of common interest; and

That the Committee shall report by 31st March 1999.—*[Mr. Mike Hall.]*

7.29 pm

Mr. Peter Luff (Mid-Worcestershire): I am sorry that I must detain the House for a few minutes on the motion. However, I am glad to see the Leader of the House in her place. I dictated a letter to the right hon. Lady this morning, which I shall still be sending. There are important issues relating to the motion that the House needs to pause to consider before it pushes the motion through on the nod. I refer especially to the last line of the motion, which reads:

> "That the Committee shall report by 31st March 1999."

The House will be aware that I am the Chairman of the Select Committee on Agriculture, which considered food safety and the Government's proposals and published a report in April 1998. I say at the outset that I am delighted that the Government are engaged in a process of pre-legislative scrutiny on this very important measure. I have no argument about that. In doing so, the Government are following a precedent that was beginning to be established by the previous Government. It is a process that the House should follow much more regularly. However, if pre-legislative scrutiny is to be effective, it must be done well. I doubt whether the time scale that is open to the Committee for consideration of the draft Bill is adequate to enable it to do its job well.

By my calculations, if the Committee were to be convened this week for its first meeting to elect its Chairman, it would be inviting written evidence in, say, weeks two and three, taking its first oral evidence in weeks four or five—no doubt it would go at least to a sixth week—considering its report in week seven and publishing it in week eight. That is a ridiculously truncated timetable for such an important measure—one to which the Government rightly attach considerable importance.

Compare and contrast the timetable for the Bill with the timetable for the consideration by the Select Committee on Social Security of pensions on divorce—pension splitting. That Committee took some 35 weeks to consider its proposals on an admittedly detailed and complex point of law. It had eight sessions of oral evidence, which began on 24 June and ended on 16 September. The Committee eventually published its report on 28 October. It rightly called 33 witnesses from 11 different organisations. It called the Minister responsible and officials from the relevant Departments on two separate occasions. That is the right sort of time to give to pre-legislative scrutiny.

It is interesting to note the Committee's last recommendation, which reads:

> "We recommend that Bills which are to be published in draft for pre-legislative scrutiny by a select committee in the Session before their formal introduction should be published no later than Easter, in order to allow potential witnesses plenty of time to prepare their evidence and the select committee to complete its work before the end of the session."

The Select Committee on Social Security made the clear assumption that a Bill should be published in draft in one Session and introduced in the following Session. We know the history of this—there is House of Lords reform—and I will not weary the House with it, but in this instance it is the Government's intention that pre-legislative scrutiny should take place over two months before Easter and that the Bill should be introduced for consideration in Standing Committee after Easter, for consideration to be completed in this parliamentary term.

That does not seem enough time to me. I talked to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), who chairs the Select Committee on Social Security. He told me that one problem was that witnesses came with an initial view on how the proposed legislation would work and then, sometimes after giving evidence to the Committee orally, returned with additional written evidence, on reflection, setting out what they thought the implications of the legislation would be. That seems entirely reasonable. The pre-legislative scrutiny period should be sufficiently flexible to allow that sort of dialogue.

After all, the House is seeking to ensure with pre-legislative scrutiny that Bills are better drafted. That is the point of it. I vividly recall when I was asked for various reasons to speak at considerable length on a one-clause Bill. I spoke for a morning and a half in Standing Committee and found that that legislation was significantly improved. It is right that the House should pay more attention to the way in which legislation is drafted. It is right also that the Government should assume pre-legislative scrutiny, and I welcome that. However, it is not right to confine that scrutiny to two months.

The Government, in their response to the Select Committee on Social Security, congratulated it on the detailed way in which it had considered legislation. The Minister of State, the hon. Member for East Ham (Mr. Timms), who has only recently today spoken from the Dispatch Box, said:

> "We very much welcome the Committee's constructive response. You deserve great credit for your thorough examination of the draft legislation. You have been instrumental in taking forward the proposals of the Modernisation Committee to improve Parliamentary scrutiny of proposed legislation."

Noticeably, in their reply to the Select Committee, the Government, for perfectly understandable reasons, ducked any comment on the specific recommendation about the timetable for pre-legislative scrutiny. They said that it was a matter for the Modernisation Committee. I believe that they are right. It is also a matter for the whole House.

We should welcome the Government's intentions with regard to pre-legislative scrutiny, but we should say that, if this process is not to be discredited very early in its parliamentary history, it must be done well. Given the many constraints on Members' time and the need to give witnesses outside this place a decent amount of time to prepare for what they regard as a very important occasion—it concerns their lives as representatives of organisations with an interest in food safety—I do not believe that the timetable provides enough time.

As Chairman of the Select Committee on Agriculture, I can say that we took six or seven months to produce a report on food safety. I still think that, if anything, the report tended to be superficial. I would have liked to examine many issues in greater depth as part of the report. I appreciate that the issue is now more focused because we are dealing with the Bill itself, not the whole gamut of food safety. I still think, however, that a scant eight weeks is not enough. I urge the Government to reconsider whether this is the right way to proceed with the Bill; and whether it will enhance the dignity of the process of pre-legislative scrutiny.

7.36 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I shall not take up the time of the House because we are dealing with a procedural motion to appoint a Committee. I understand from the remarks of the hon. Member for Mid-Worcestershire (Mr. Luff) that he does not oppose the setting up of the Committee. Indeed, he welcomes it. He does not oppose the use of the procedure. He welcomes that, too, and that is very helpful. However, he thinks that we should have provided for more time.

I entirely share the hon. Gentleman's view and that of the right hon. Member for East Devon (Sir P. Emery), who objected to the motion in the first place last week—in the past, the right hon. Gentleman has been a distinguished advocate of modernisation of the sort that we are discussing, so I was a little sorry as well as surprised to see him taking such action—that we should use the procedure of pre-legislative scrutiny more regularly, and the Government would wish that. However, that presumes that everyone wants to use the procedure for the purpose for which it is intended.

I repeat that this is a motion to set up a Committee and to enable some scrutiny. The purpose of the timetable, as the hon. Member for Mid-Worcestershire may have observed, is to tie up with the deadline for the closure of the public consultation process, which finished on 24 March. That is why the Committee is asked to report on 31 March.

The hon. Gentleman spoke of the need to have a much longer period of scrutiny and to allow for far more witnesses to give evidence, as if there were great concern outside this place. If there were, that would be a matter of great importance. As I understand it, however, no one in the food industry has made any complaint about the timetable that the Government are pursuing. Indeed, as recently as this week, the National Farmers Union and food industry representatives have indicated that they are content with the procedure.

Mr. Luff: If I understand the right hon. Lady correctly, she is saying that written evidence to the Government has to be in by the end of March but written evidence to the Select Committee will have to be in by the end of February, or even earlier. There could be considerable

[Mr. Luff]

inconsistencies between the evidence received by the Select Committee in writing and that which the Government receive in writing at the end of their consultation period.

Mrs. Beckett: I find that hard to believe, especially as presumably those whose evidence the hon. Gentleman would most wish to hear are not expressing concern about this issue or about the timetable. That brings me to the main point which I think arises on this use of the pre-legislative scrutiny procedure. It is that the Government might well not have tied time so tightly to the end of the general consultation had it not been for the fact that we are anxious to legislate on this matter this Session, believing it to be very much in the public interest and a matter of public safety. I wonder—the question arises if this issue is to detain us at any length—whether this is a matter of holding up the Bill, which as we all know some Members oppose.

Mr. Luff: Will the right hon. Lady give way?

Mrs. Beckett: Not for a moment. I shall finish the point that I am making.

The indication given by the right hon. Member for East Devon on a point of order, when he obstructed the motion at the end of last week, was precisely that he opposed the subject matter of the Bill and the accompanying measures.

The Government are anxious that the Bill should not be held up. The question is ultimately whether the House wants the Bill. There will, of course, be ample opportunity to debate the proposals and the Bill when it finally comes before the House. I repeat: the issue now is whether we set up such a Committee, and whether it considers the matter in the way that the motion allows.

The procedure has been welcomed in all parts of the House and we are anxious that it should be used. I suggest that we proceed to use it.

Question put and agreed to.

Ordered,

That a select committee of thirteen Members be appointed to report on the draft bill on the Food Standards Agency (Cm. 4249);

That Ms Diana Organ, Ms Sally Keeble, Audrey Wise, Dr. Howard Stoate, Dr. Lewis Moonie, Mr. Ma[illegible]n Jones, Mr. Kevin Barron, Dr. Stephen Ladyman, Mr. Owen Paterson, Mr. David Curry, Mr. Robert Walter, Dr. Peter Brand and the Reverend Martin Smyth be members of the Committee;

That the Committee have power

(a) to send for persons, papers and records;

(b) to sit notwithstanding any adjournment of the House;

(c) to adjourn from place to place within the United Kingdom;

(d) to appoint specialist advisers; and

(e) to communicate to any select committee of either House their evidence and any other documents relating to matters of common interest; and

That the Committee shall report by 31st March 1999.

Residential Care (Birmingham)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

7.40 pm

Dr. Lynne Jones (Birmingham, Selly Oak): I am grateful for the opportunity to raise the anxieties felt by residents of Goodrest elderly persons home in my constituency, their families and residents of other homes that Birmingham social services committee proposes to close or privatise.

I shall begin on a positive note. Birmingham city council has an excellent scheme for the development of extra care sheltered housing for elderly people. Under such schemes, individual residents have their own flat and their own front door, but where extra care is needed, it can be tailored to the specific needs of the individual and can change when the person's needs change, as he or she becomes more frail.

There is no argument in Birmingham about the development of the schemes. There are already 11 schemes providing 426 flats. I fully support those schemes, as the first two began when I was chair of housing in the mid-1980s, so I claim to be responsible for the development of the schemes. They are excellent, and Birmingham has been praised for them. There are various new developments on stream, and it is hoped that by the millennium or soon afterwards there will be 26 schemes running, providing a total of 1,030 flats.

By their nature, those are mixed developments. Although there are already several hundred such flats, I understand from the social services department that only 26 places have so far been allocated to those assessed as being in need of residential care. The provision is thus good for the future, but it is not particularly relevant to existing residents of elderly persons homes.

Over the years Birmingham city council has closed a number of homes, many of them in unsuitable locations. One was at Highbury hall, the former home of the Chamberlains. That building is now much better developed as a conference centre. It was right for the council to close that home. Over the years, non-purpose-built homes that were not entirely satisfactory have been closed.

I had hoped that my hon. Friend the Member for Birmingham, Northfield (Mr. Burden) would be present for the debate, but unfortunately he has been held up in his constituency, which includes the Longbridge area. I am sure that hon. Members and my hon. Friend the Minister understand that he would have liked to participate and is equally concerned about the proposals.

Birmingham city council has 35 residential homes for elderly people. Only 14 of the homes so far have been refurbished to bring them up to the standards rightly demanded of the private sector. A further four homes already meet registration standards, although they are in need of refurbishment. That leaves 17 homes that need considerable upgrading. The social services department reckons that it needs to spend £19 million to bring them up to scratch. Local residents have queried that figure, but even if it were halved, it would be a substantial sum.

The social services department is in a difficult position. Central Government, who control the capital spending of local authorities, have not allocated to it that level of resource. In recent years, the problem has got worse. Until 1995-96, the previous Government allocated about £2.5 million for social services capital schemes. Since then, the sum has steadily decreased. In the forthcoming year, the allocation is a mere £838,000. I know that the leader of the council has made representations to the Secretary of State and expressed her concerns.

In the forthcoming financial year, only £100,000 will be available for new schemes—the rest of the money is already committed to existing schemes. The council has had to devise means to deal with the problem, which unfortunately involves closing several homes. It is proposed to retain and refurbish only four of the homes. The rest are to be sold to the private sector, to be privatised, or—as in the case of Goodrest elderly persons home—are to be demolished, and the site used for extra care sheltered housing.

The council will be left with eight homes for elderly people. The council says that it has a role to play in providing residential care, especially for those suffering from dementia. As hon. Members know, there is a growing elderly population, many of whom will unfortunately suffer from dementia.

In a report produced last year, the Royal College of Psychiatrists and the Royal College of Physicians stated that the figure of 700,000 elderly people currently suffering from dementia is set to rise to about 1 million in 30 years. The report called for a national framework of provision. It pointed out that the policy of contracting out institutional long-term care to the independent sector was imposed by the previous Government in order to transfer costs from the health budget to the means-tested social services budget. The report further stated that there is no evidence that the care provided is comparable in quality, safety and cost to that which can be provided by statutory services.

The report went on to deal with problems of abuse of elderly people in residential establishments. It identified abuse as a matter of growing concern and pointed to various risk factors—poor working conditions for staff, inadequate numbers of staff, inadequate supervision and training of staff, and inappropriate mixes of residents with different care needs.

I do not want to cast doubt on much of the excellent provision in the private sector. In Birmingham, as in other areas, the majority of residential care is provided by the private sector, but there are considerable concerns about the quality of provision in some homes.

In respect of these risk factors, there is grave concern about the rates that those homes are either prepared or able to pay their staff. I emphasise the words "able to pay", because I have been approached by proprietors of excellent private homes in my constituency who are extremely concerned about the rate of pay for each resident that they receive from the social services department, which has continued to pressurise them to reduce costs. The proprietors say that—because of the growing dependency of many elderly people who are discharged, often from hospital, into their care—they are not able to provide for their needs with the weekly allocation given to them by the social services department.

That means that many of those homes—some because they have no choice and others because they wish to profiteer—are paying appalling rates and using staff who have little training and are not committed to the work. Looking after elderly people in residential care settings is a difficult job that requires dedication and a great deal of skill, whether or not the elderly people are frail or suffering from dementia.

This morning, I went to my local jobcentre to look at the vacancies for care assistants in private homes. The rate of pay varied from £3.10 an hour to £4.15 an hour for those trained to national vocational qualification standards and prepared to work shifts. One home was offering £3.60 an hour to experienced workers, including working nights and weekends. It does not require any stretch of the imagination to understand that those rates of pay are simply an insult to the work that is required to look after our elderly people.

Birmingham social services department pays its staff £4.35 an hour, which is not exactly rich pickings. It pays slightly higher rates for weekend and evening work and double time for night shifts. I think that those workers deserve that level of pay, and probably more. That level of pay, and more, ought to be provided for those who look after elderly people in our residential homes.

The residents of Goodrest home are extremely concerned about the closures. Occupancy in the homes that are run by Birmingham social services department is slightly under 100 per cent., because a number of places are reserved for respite care. Some elderly people, from time to time, need to go into respite care to give their carers a break or if they are ill and need residential care. Those places will also be put at risk by the closures, but—because there is no longer any slack in the system following previous closures, including the closure of one of the other elderly care homes in my constituency a couple of years ago, again to widespread concern among the residents and the local community—there is no slack in the system and there are next to no places available in other council-run homes. Even if people wanted to take up such places—which they do not, because they want to stay in their homes and they value the care that they receive—that choice would not be available to them.

Residents and their relatives are extremely concerned about their future. A meeting was organised last November by the local councillors—in Birmingham we have a system of ward sub-committees—and held at the home concerned in my constituency. Most of the residents attended, as did their relatives and members of the public. A vote was taken and it was unanimously decided that people wanted to stay in their home. They valued the quality of the care and feared what the alternatives might be.

It was made clear when the vote was taken that people would have to move out if refurbishment took place, but they would be able to move back later and maintain contact with friends and family during that process. Even though there would be disruption, there was an overwhelming desire to stay in the Goodrest home. From letters that I have received from relatives of my constituents in other homes, I know that such desire is felt elsewhere.

During the discussion, the assistant director of social services was asked what provision could be made for people if the closure went ahead. The assistant director made clear—this is in the minutes of the ward sub-committee meeting—that it

> "was not possible to give any guarantees about the standard of care to be provided to residents in the future".

[Dr. Lynne Jones]

He added that

> "the Department would be doing its utmost to seek to achieve the best possible care provision available at the time",

although that was likely to be in the private sector. There was no guarantee about the quality of care.

It is known that those homes are likely to employ staff on the rates of pay that I have mentioned, and there will probably be a lower ratio of staff to residents, so it is understandable that people fear for the future. They have been given no guarantees. Even if they had been, they would have wanted to stay in their home.

There is demand for these places in Birmingham, which is shown by the fact that the homes are full, and we will have a growing elderly population. Over time, provision in extra care sheltered housing will be available for the frail elderly, but there will be growing demand for residential accommodation for elderly people suffering from dementia and other symptoms of confusion.

The local residents and the carers have set about campaigning to keep their homes open. I pay tribute to the dedication of those local people and the relatives of residents living in Goodrest. The residents are not able to campaign, but their relatives are doing an excellent job on their behalf. They are collecting petitions and this Saturday was one of many on which they have spent hours in the cold and the wet collecting signatures to get public support for keeping their homes open. That is happening across the city, and they will be lobbying the social services committee when it meets next week to take decisions.

The consultation has shown that there is demand for homes that are run by the social services department. We know that most of those homes are already in the private sector. It is important, not only for the care of the residents, but for the well-being of all elderly people, to retain a proportion of such care in the public sector. That sets standards and acts as a benchmark for other provision. It also gives support to inspection regimes, which, I know, are having their hands tied.

Issues have been raised by my hon. Friend the Member for Newport, West (Mr. Flynn)—I have taken them up with the social services inspectorate in Birmingham—in respect of monitoring of the administration of medication to residents. It is clear that the monitoring of these private homes is unsatisfactory in that regard. A gun is being held to the inspectors' heads. They cannot close these homes because there is no alternative provision. That is another reason why we should maintain places in the public sector.

The local authority cannot raise the capital because of Government restrictions on capital spending. That is nonsensical. We are encouraging private provision, but to make places available the private sector is required to raise capital. It is more expensive for the private sector to raise finance than for the local authority to do so.

In the long run, it is economic nonsense to close these homes. They provide an excellent quality of care, and residents, their families and the people of Birmingham want them kept open. They are looking to their local councillors, local MPs and the Government to get together to ensure that Goodrest and other homes for the elderly in Birmingham stay open. I hope that the Minister will have something positive to say about meeting their needs.

8.1 pm

Mr. Richard Burden (Birmingham, Northfield): I apologise for my late arrival in the debate. As my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) said, I was unfortunately detained by what could not honestly be described as a little local difficulty at Longbridge—a major crisis facing the whole of the midlands. I hope that the House will forgive me for my late arrival.

I congratulate my hon. Friend on securing the debate, and on her description of the issues facing elderly persons homes in Birmingham. I should like to make a few comments, which will be fairly parochial, as one of the homes affected is in my constituency. I shall illustrate some of the general problems facing elderly persons homes in Birmingham and some of the issues at stake.

The city council and the social services committee in Birmingham in particular face formidable problems. Over the years, they have attempted to establish an imaginative policy for the care of the elderly, in consultation with the health authority and others, under the "new homes for old" strategy. In principle, that strategy is valuable, because it emphasises partnership and the need for quality and choice in the care of the elderly. It emphasises the right of people, as they reach old age, to have the quality of care where they need it and the choice of care in all possible situations.

Frankley in Northfield became part of Birmingham in 1995: it was formerly part of Bromsgrove. Lyttleton house is an elderly persons home in Frankley which has provided a valuable community resource, and has been well regarded by people who live in the area. It is one of the homes that did not meet registration standards under the social services review. In the early part of last year, it was recommended for closure. The issues surrounding that home are much the same as those described by my hon. Friend for other homes, especially the Goodrest home in her constituency.

The "new homes for old" strategy adopted by Birmingham city council is about providing diversity in choice for elderly people in the city. However, I have been worried about the way in which the debate has gone in the past year in Birmingham. Under the most recent review of elderly persons homes, the selection of which homes should change their character, which should be recommended for closure, which should be offered other options and which should be refurbished seems to be linked to the current financial situation of the homes and the refurbishment costs estimated by the city council, rather than to the clear estimate of needs in the community and how those needs relate to the needs of communities elsewhere.

The city council and the social services committee have a genuine desire to consult local people about their proposals. Unfortunately, that genuine desire to consult has not always been matched by action on the ground. Questions have often been asked by local residents. In my area, an action group was formed to campaign for Lyttleton house, and the social services department has been asked about the plan for closure. Although answers were given, sadly they led to more questions about the cost of refurbishment, occupancy levels and so on. In Birmingham, we need a little more clarity about the review, and about how the current provision of elderly persons homes fits into that review.

The "new homes for old" strategy is sound. The responses to consultations have not related to that strategy. The committee's response to the comments on Lyttleton house, which included a 10,000-name petition of local people who want to save it, has been to suggest that, rather than closure, perhaps it could be considered for sale as a going concern. There may be arguments for that, but it prompted another round of consultation. Local people did not know whether they were coming or going. They were told that the home in which their relatives lived and which they valued was earmarked for closure. They were consulted, they gave their views and they were then asked whether, rather than closure, they wanted it to be sold off as a going concern.

The meetings of local people that I attended did not have confidence that their comments would have an impact on the decision-making process. I say that not to criticise or to have a go at the social services committee, because it is faced with a difficult situation in a difficult financial climate, and there are various competing pressures on it. But the difficulties faced by the social services committee are nothing compared with the difficulties faced by the residents of those homes and their relatives. They are told about the cost of refurbishment and that the need in their area is not easily equatable with the need elsewhere, but they are the ones that have to make decisions and advise their relatives for whom places such as Lyttleton house and Goodrest are their homes.

On 17 February, the social services committee in Birmingham will again meet to consider the future of elderly persons homes. I do not underestimate the difficulties that it faces, but I want to use the opportunity of this debate to suggest to the committee that it may be worth while pausing a little longer and thinking in a more joined-up way about the future of those homes.

For the homes that are threatened with closure, the solutions may not be limited to the straight choice of closure or sale to a purchaser as a going concern. We should think a little more flexibly and creatively about the way in which we provide elderly care in Birmingham. There should be more discussions with the health authority and other partners to see how the principles of the "new homes for old" strategy can be taken forward in practice. I want that imaginative strategy to succeed in Birmingham, but it will work only if its principles are reflected in the practice of the department on the ground. When the social services committee meets, I hope that it will consider proceeding along those lines.

I echo the point made by my hon. Friend. The local authority's ability to act is often circumscribed by the financial climate. Perhaps greater flexibility in that financial climate would enable it to be more creative, which is what we all want.

8.10 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on securing time for tonight's important debate; she clearly feels strongly about the issues. I also congratulate my hon. Friend the Member for Birmingham, Northfield (Mr. Burden) on his thoughtful comments.

My hon. Friend the Member for Selly Oak raised a number of issues relating to the provision of residential care in Birmingham. In particular, she discussed arrangements for the local authority's so-called part III homes, standards of care, and roles for the public and private sectors as providers.

In Birmingham, as elsewhere, residential care is an integral part of community care. Before I deal with the specific issues raised by both my hon. Friends, it may be helpful if I say a word about the wider context in which the debate should be seen. As I am sure my hon. Friends are aware, the aim of community care is to provide the support that frail or vulnerable people need if they are to live in their own homes or in homely settings, retaining the independence, dignity and quality of life that come from being a part of the community. That means that local authorities must provide a balanced range of services that are accessible and adapted to meet the needs of individual service users.

We take no ideological view of who the provider should be. We see no reason why good-quality, cost-effective services cannot be given by the public sector, the private sector and voluntary providers. We recognise the important contribution that each must make. The important issue is not that of who provides a service, but that the service itself is of high quality, is responsive to users' needs and wishes, and delivers the best possible value for money. That means that local authorities must be rigorous and skilled purchasers of services from independent providers, and equally rigorous and skilled managers of their in-house services. In both cases, authorities must be committed to putting users' needs first, delivering top-quality services and ensuring that resources go as far as possible.

The local authority has the lead in planning and commissioning important services. The role of Government is to provide a legal as well as a financial framework within which those important services can be delivered. Let me say a little more about that wider framework, and about what we as a Government are doing to promote quality and value. The key elements include promoting partnership working—effective arrangements between agencies working locally, and the development of national standards and objectives for social services. We are doing that now, for the first time. We also want to encourage more effective commissioning, and we are providing the resources that authorities need to commission and deliver services effectively.

As I am sure my hon. Friends will know, over the next three years £3 billion of additional revenue will be devoted to social services. Let me mention some of the important initiatives with which we are taking forward our agenda. We are determined to improve partnership working between social services and the national health service, because people's needs do not recognise organisational boundaries. In the case of older people particularly, they are often complex: they change, both in the short term and over a longer period. Following a period in hospital, people may need additional support—from the community health service, for instance—if they are to return home; or they may need residential care places if discharge is not to be delayed, and if unnecessary readmission is not to be caused. We need to consider residential care provision within the broader context of community care services, mapping out the key links with other agencies.

When residential care is planned, what is important is effective joined-up thinking in the wider community care and health context. The interdependence of health and

[Mr. John Hutton]

social care makes it essential for the provider agencies to collaborate effectively in service planning, commissioning, assessment and delivery—and, not least, in funding.

Section 28A of the National Health Service Act 1977 has long been a key funding mechanism enabling health authorities to support the work of social services. Not least, that includes supporting residential and nursing home placements—for example, through the provision of "dowries" and similar payments in respect of people transferring from long-stay hospitals, or through the support of innovative cross-agency services.

I am sure that both my hon. Friends will know that, in the Health Bill that we published recently, we outlined the way in which we intend to legislate in order to ensure that more effective working between social services and the national health service becomes the norm. First, we are determined to remove whatever legal obstacles might obstruct effective working between the NHS and social services. Secondly, in our executive letter entitled "Better Services for Vulnerable People", we set out the medium-term agenda for people with continuing health and social care needs. Further guidance on the better services initiative was issued in August by the NHS executive and the Department's social care regions.

The circular asked local and health authorities to proceed in three important areas. First, there were the joint investment plans that will provide a national framework for multidisciplinary assessments of older people in acute and community health settings, jointly with social services, and the development of a range of recuperation and rehabilitation services for older people. Joint investment plans will constitute a distillation of the health improvement plan and community care planning information. They bring together in a single document the joint information needed for health and social services to deliver on their respective responsibilities. The recent guidance requires health and local authorities to have joint investment plans in place by April this year, as a minimum, for older people, including those with mental health problems.

Multidisciplinary assessments, by health and social services, have always been a joint responsibility within community care. More effective multidisciplinary assessment means better co-ordination of care services. In the community, it may avoid unnecessary hospital admission and allow older people to remain in their own homes for far longer; in the hospital setting, good multidisciplinary assessments may avoid an unnecessary admission subsequent to institutional care. Similarly, we hope that the development of recuperation and rehabilitation services will enable people to return to the community sooner, and to remain in their homes for longer.

Thirdly—perhaps this is our most important proposal—we intend to modernise social services. This is a key theme in the recent social services White Paper, which provides a context in which services such as residential care must be seen and developed. We are talking about maximising independence rather than supporting dependency, with the new emphasis that we intend to place on rehabilitation, recuperation and prevention services.

The White Paper, however, does not stand alone. It is part of the Government's overall strategy to improve health and social services. Together with the document "The new NHS" and the Green Paper "Our Healthier Nation", the social services White Paper provides a foundation for the future of health and social care.

My hon. Friend the Member for Selly Oak raised the issue of standards of care and inspection in care homes. That is a key issue, and, indeed, a key element of the White Paper. Local authority-provided residential care homes are not currently required to be registered in the same way as independent homes, but local authorities are required to inspect their homes, and to apply the same standards to private and public provision. When local authority homes are below standard, we expect authorities to take appropriate action to bring them up to scratch. It is only right for vulnerable people in local authority homes to expect the standards that authorities apply to the independent sector.

There are many problems with the current regulatory system for social services, and we want to put those problems right. We are committed to reforming regulatory arrangements for social services, and our proposals have been set out clearly in the White Paper. We want to create independent regulatory bodies, which will be called the commissions for care standards and which will be responsible for regulating all residential care homes, including local authority homes as well as nursing homes, children's homes and other care services such as domiciliary care agencies.

We are also committed—my hon. Friend the Member for Selly Oak may be interested in this—to the development of national regulatory standards that can be applied to all care homes. As a first step in the development of national standards, we commissioned the Centre for Policy on Aging to advise us on standards for older people in residential care. The CPA recently submitted its report to the Government, and we intend to publish the standards for consultation shortly. I assure my hon. Friend that we are determined to set standards that will consider the quality of care that is needed for vulnerable people.

My hon. Friend spoke at length about the particular circumstances of social services in Birmingham. As I am sure she will be the first to acknowledge, spending priorities vary from area to area. As I have said, of the authorities locally, local authorities are best placed to assess those priorities. I have described several ways in which we are supporting them in delivering quality, cost-effective services. Clearly, though, a crucial factor in the equation is money. Commissioning services means committing resources. Committing them wisely means planning ahead. We are aware of the strains on social service budgets, and we have demonstrated our intention to ensure that social services receive priority among the many services that receive Government support.

My hon. Friend the Member for Selly Oak will be aware that the outcome of the comprehensive spending review provides significant increases in resources for local authority social services—as I have said, almost £3 billion extra over the next three years and an additional £500 million in the current financial year. The increased resources mean that social services departments will be able to plan ahead, knowing that there will be increased funding in each of the next three years. They will have the resources that they need to provide effective and integrated services to vulnerable people in society.

I should like to return to the specific question of residential care homes and, in particular, the arrangements that my hon. Friend the Member for Selly Oak has described affecting Birmingham. As I have said, resources nationally for social services are being increased by 6.1 per cent. next year. That is significantly above inflation. We are targeting a large proportion of that increase at improving the services for older people through better planning and delivery of services across the interface between the health service and social services through improved rehabilitation services.

Older people make an enormous contribution to national life. The Government are determined to ensure that their wishes and needs are taken seriously. We also intend to ensure that older people are valued and can play their full part in society.

As I have mentioned, the recent White Paper set out what the Government propose to do to modernise social services. People generally want to live in their own home if they can, and the Government intend to put greater independence at the heart of social services for adults. However, we recognise that, for some people, care in a residential setting will be inevitable and appropriate.

A recent survey by Birmingham social services showed that some people in residential homes were inappropriately placed and capable of managing their lives better at home. It was believed that, given improved rehabilitation services, many of those people would not need to go into residential homes in the first place. I am sure that my hon. Friend the Member for Selly Oak would want to ensure, if possible, that that happened.

Birmingham health authority is developing a proposal whereby social services would pay a premium for short-term stays in residential homes if they offered rehabilitation services that enabled the person to return to their home eventually. Birmingham health authority is also running a pilot along those lines for people with specific health needs.

Dr. Lynne Jones: All that my hon. Friend has explained on the Government's strategy is commendable, as are the additional revenue resources, but it has been made clear that the residents of the homes that are to be closed will not be offered a place in their own home. Many have left their homes. They have no home. The extra care sheltered housing is not on offer to them. The issue is not about the revenue cost—the day-to-day cost of running the home—but about the cost of the refurbishment and capital expenditure. That is the important issue. I would be grateful if he would say a few words about that.

Mr. Hutton: I do intend to say a few words about that, but I am sure that my hon. Friend and I are at one on the general direction that we want to take, which is to promote wherever possible independence and independent living. She was anxious—I think that it was her main concern—about the quality of care that her constituents could face in the private sector. She expressed anxiety that there would be no guarantee that they would receive a comparable quality of service. I accept that one of the Government's responsibilities is to take action to set standards and to ensure that they are sufficiently high. We take that responsibility seriously.

That is why we have commissioned the work from the Centre for Policy on Aging to help us to set a proper standard that we can apply across the spectrum, but we intend—the Government have made it clear; I hope that I have done so tonight—to ensure that, in developing those new national standards, we consult as effectively as possible with all providers, in both the public sector and the private sector.

My hon. Friend the Member for Selly Oak referred to capital. She may be interested to know that I had some correspondence with the leader of Birmingham city council about the issue. Figures from the Department of the Environment, Transport and the Regions have shown that, from 1995-96 to 1999-2000, Birmingham has had approximately £230 million made available to it from central Government for capital programmes, and between £6 million and £10 million in usable receipts.

We have told Birmingham city council that we are anxious to encourage local authorities to make full use of the private finance initiative. We are keen for authorities to seek partnerships with the private or voluntary sector because, in many cases, as my hon. Friend may be aware, such partnerships can offer very good value for money in the provision of services and capital investment.

My Department has PFI credits available for the current financial year. If Birmingham city council is interested in exploring that option with us, we would be interested in hearing from it.

Dr. Jones: That is an interesting proposal, but I understand that that has been explored. In relation to the total capital programme, obviously Birmingham is a big city and it has a big capital programme, but the fact remains that the allocation that the Government have earmarked for social services has declined and is very small.

Mr. Hutton: I would hate to have an argument with my hon. Friend about the level of social services expenditure. I am sure that she would acknowledge that over £500 million of additional money has been put into social services in England, Wales and Scotland this year. That is a significant increase. The local government financial settlement for Birmingham shows that, overall, resources increased by 4 per cent. this year, which is above inflation.

We could go on arguing around those points. I do not think that it would be fruitful to do so, but, as I have said to the leader of Birmingham city council, we are interested in exploring with the council any opportunities for private finance initiatives. We still look forward to hearing any confirmation from the council that it wants to explore that with us.

My hon. Friend the Member for Selly Oak was right to say that the social services department has been considering the future of all of its own residential care homes for older people. Some homes have been sold and some have been refurbished. The overall strategy included upgrading some of the homes to meet registration standards, and receipts from the homes that have been sold contributed significantly to that upgrading. The strategy also includes providing for a range of alternative care provision, to residential care in which people can still have their own front door and receive the degree of care and support related to their needs.

[Mr. Hutton]

My hon. Friends the Members for Selly Oak and for Northfield both mentioned the development of extra care sheltered housing, which now has 11 schemes in operation, with a further three new build schemes planned for 1998-99. As 12 more schemes are in the pipeline, there will be a total of 1,030 flats by 2001.

The strategy employed by the social services department has been in line with that of many other local authorities that have divested themselves of in-house residential provision for older people. The social services committee has approved the strategy, and there has been a formal process of consultation with all stakeholders before any decisions have been taken on the future of each home.

I understand that arrangements for all but eight of the authority's 35 homes have now been satisfactorily resolved. The social services department is currently out to consultation on the final eight homes, and findings and any final proposals will be reported to the social services committee for a decision, on 17 February. Any homes that are sold to the independent sector will be subject to the process of registration and inspection that—I should like to ensure my hon. Friend the Member for Selly Oak—will ensure the quality and standard of care available.

Birmingham is not alone in reviewing its provision of residential care. Local authorities across Britain have been examining ways of improving services, to put together imaginative and innovative care packages for the benefit of care service users and their families. Whatever decisions an individual authority makes when considering changes to the extent of their provision of residential care, the welfare and wishes of residents and staff of the residential care homes concerned must be taken fully into account.

Regional offices of the Social Care Group monitor developments of that nature and keep Ministers fully informed. However, as I am sure that both of my hon. Friends will accept, it is essentially a matter for the local authority concerned to decide how best to meet the need for social services, including residential care, in their own area.

Taken together, the measures that I have outlined will help to improve both the quality and the delivery of social services across Britain. The Government are committed to ensuring that we have first-class social services that provide flexible user-centred care to those who need it. I assure both my hon. Friends that that applies as much in Birmingham as it does anywhere else in Britain. I assure them also that I shall continue to take a close interest in the issues that both of them have raised in this debate.

Question put and agreed to.

Adjourned accordingly at half-past Eight o'clock.

House of Commons

Tuesday 9 February 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL

Order for Second Reading read.

To be read a Second time on Tuesday 16 February.

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Beacon Council Scheme

1. **Mrs. Janet Dean** (Burton): When he plans to publish his proposals to establish the beacon council scheme. [68263]

12. **Mr. Ronnie Campbell** (Bly[illegible]Valley): When he will publish his proposals to establish the beacon council scheme. [68275]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Today, we have published a prospectus on the beacon council scheme. The scheme will recognise the best councils as centres of excellence, from which we can all learn. We want the best public services for people in this country, and the scheme will help all those councils to give the best value and a better deal to local people.

Mrs. Dean: I congratulate my right hon. Friend on the superb timing of that publication. I had no idea that my question would produce such instant results. I welcome the scheme and the opportunity that it gives for local government to develop excellent services for local people. How will my right hon. Friend ensure that beacon councils spread best practice to other local authorities?

Mr. Prescott: My hon. Friend is right—her timing is perfect. The Government intend that beacon councils will be selected by Government on the advice of an independent advisory panel. We are also working in partnership with the Local Government Association to co-ordinate a national programme to spread best practice. The beacon councils will have to be willing to do the job of spreading best practice, because we intend not only that there should be excellence, but that others should learn from it. We are therefore insisting on this approach and encouraging councils to adopt it.

Mr. Campbell: My right hon. Friend knows that Blyth Valley council in my constituency hopes to take up the flag as a beacon council after the May elections. Although I am not entirely convinced, I wish the programme every success. I have my doubts, but we shall have to wait and see. What difference will the scheme make to the taxpayers of Blyth Valley—in other words, will there be any more money?

Mr. Prescott: The House will recognise my hon. Friend's comments as an enthusiastic endorsement. He asks an important question about the costs involved in the scheme. We are concerned about the local taxpayer. We are making available up to £700,000 in various grants for the seminars and visits, so there is no charge as such on local authorities who have the benefit of a centre of excellence. Moreover, if councils enjoy beacon status, they will already have demonstrated very good practice, from which local council taxpayers will already benefit.

Madam Speaker: Mr. Crispin Blunt.

Mr. Geoffrey Clifton-Brown (Cotswold) *rose—*

Madam Speaker: I thought I was more articulate than that.

Mr. Crispin Blunt (Reigate): What chance is there of Reigate and Banstead becoming a beacon council, when its resources from central Government are undergoing a real cut? The Deputy Prime Minister told me in the House last Thursday:

> "The hon. Gentleman's authority, like all the others, will receive more than it did last year. That is a basic fact."—[*Official Report*, 4 February 1999; Vol. 324, c. 1140.]

That is not true. In his letter to me yesterday, why did the Deputy Prime Minister not have the grace to apologise and admit that he had misled me and the House? He should not pretend that less is more.

Mr. Prescott: I shall deal with one beacon at a time.

I am not aware that the charge of the hon. Member for Reigate (Mr. Blunt) is justified at all, but I shall look into the matter and write to him. If I have made a mistake, of course I will apologise. I do not believe that to be the case, but let us wait and see. I shall certainly write to the hon. Gentleman.

We want to encourage excellence. The scheme goes further than the charter marks that were developed by the previous Administration. Those did reward excellence, but we want other authorities to learn from beacon councils. We believe that the scheme will benefit councils, taxpayers and the cities in which they reside.

Mr. Simon Burns (West Chelmsford): In principle, we welcome any scheme that makes local authorities centres of excellence that enhance the quality of service and the cost-effectiveness of services provided to local communities. Does the right hon. Gentleman accept, however, that we question how effective the initiative will be, given that over the past 12 months there has been a cancer of corruption in Labour local authorities such as Walsall, Rotherham and Doncaster?

Mr. Prescott: The House is concerned about excellence in local authorities and will condemn corruption wherever it takes place. The Government have done so wherever corruption has taken place, in Labour or Tory authorities. When the charter mark was given out under the previous Administration, there was mass corruption in Westminster but not a word of condemnation from the previous Administration.

We should lift our horizons a little and get away from the politicking between parties on these matters. I readily recognise that the charter mark was one small step forward. I believe that this scheme is better because it establishes excellence by recognising it and getting other authorities to follow that example. That is what the House would want and that is what we are proposing. A little more objectivity in the comments from the Opposition would be welcome.

Rail Services (Kent)

2. **Dr. Stephen Ladyman** (South Thanet): What representations he has received on Railtrack investment in the upgrading of the lines from Ramsgate and Dover to Ashford. [68264]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): Ministers have received no representations about Railtrack investment on the upgrading of the lines from Ramsgate and Dover to Ashford, although I understand that the franchising director has recently written to my hon. Friend about the quality of service on those lines.

Dr. Ladyman: I am grateful to my hon. Friend for her answer. I wonder whether she has any masochistic tendencies: would she like to try making a train journey from London to either Ramsgate or Dover? She would find herself in an antediluvian carriage, knee-deep in filth, and would probably conclude that the journey would be quicker on the back of a lame tortoise.

Will my hon. Friend accept that upgrading the railway line from Ramsgate and Dover to Ashford, to join the channel tunnel rail link, is essential for the economic regeneration of east Kent? Will she give Railtrack and Connex a kick in the pants and make them start to produce plans? If the scheme is not commercially viable, will she see what she can do to help to make it happen?

Ms Jackson: Open-minded though I am, masochism has never had any appeal for me, but the picture that my hon. Friend paints is a clear indication of the failure of the previous Administration to ensure that sufficient investment was made in our national railway system. However, any upgrading of the lines would be a matter for Railtrack. Its 1998 network management statement contained so few firm commitments that it caused the regulator to seek improvements to track quality, capacity constraints and dialogue with industry, which were agreed with Railtrack in July 1998.

A new network management strategy will be published in March and, set against profits of £224 million for the six months ending on 30 September 1998, we look to Railtrack to build on the commitments given to the regulator in July. As the House will know, there will be a national railways summit on 25 February and I will most certainly lay my hon. Friend's concerns at the feet of Connex.

Mr. Damian Green (Ashford): I am sure that commuters from my constituency will be slightly disappointed that the Minister prefers strategies and meetings to action on that point. May I put to her a practical point, which she may like to take? In the long run, the commuting services from east Kent into London would be improved by competition. Will she give an indication that she will allow domestic services to run on the channel tunnel rail link, when it is introduced? That would provide extra capacity and competition, which would improve services for commuters. Will she make that positive commitment now?

Ms Jackson: The hon. Gentleman clearly paid no attention whatever to what the previous Administration did—regardless of the fact that he is a member of their party—in respect of the strictures that they set in place on rail privatisation.

On the issue of action, at a meeting on 26 November it was agreed, with all franchisees and Railtrack, to improve performance on our railways, at the behest of my right hon. Friend the Deputy Prime Minister. Those measures include 800 new train drivers, 500 new vehicles, a joint hit squad to identify and tackle the worst 50 black spots, a national troubleshooter team to tackle punctuality problems and a new national passenger survey to find out what passengers think about their rail services.

I am sure that the hon. Gentleman is aware, and would endorse the fact, that allowing domestic passengers on to Eurostar train services without the requisite safeguards to ensure that there can be no infringement of safety, and introducing any service into our islands without the necessary restraints that we have on our borders, would not be the way to encourage people to use our railway system.

3. **Mr. Jonathan Shaw** (Chatham and Aylesford): If he will make a statement on the improvements proposed by Connex South Eastern to its train service to Kent. [68265]

The Minister of Transport (Dr. John Reid): Connex is taking part in discussions with other industry parties to identify potential solutions to the capacity problems experienced on a number of their routes. I sincerely hope that any solutions to these capacity problems will also help to improve reliability and punctuality.

Mr. Shaw: I thank my right hon. Friend for that reply. As my hon. Friend the Member for South Thanet (Dr. Ladyman) said, much of the rolling stock is filthy and dilapidated, and it is not uncommon for basics, such as water in the toilet, to be lacking. When he has his summit, will he take on board the fact that there are only two direct trains to the Medway towns? They provide a service for the 250,000 people who live there, so 25,000 commuters every day are served by only two direct trains. Could capacity be increased by at least one train to improve the rail services to the people in the Medway towns?

Dr. Reid: I shall take account of my hon. Friend's comments. The tragedy is that, almost every day, we hear of another horror story about one of our railway services. Only this morning, a colleague of mine stood on a platform at Elmstead Wood and three Connex trains in 25 minutes were cancelled.

The bigger problem is that the advances that have been made, such as increases in investment, the fall in average fares and the increase in passenger numbers, will not cut any ice with the public until we improve reliability and punctuality. That is precisely why the Deputy Prime Minister called in the train companies at the end of November, and why we have an immediate action plan to tackle these problems in the short term. We shall talk to the train companies again at the rail summit on 25 February, and shall put to them the simple message that performance on our railways must improve, and that, if it does not improve, the companies that are failing the public will have no long-term future in the industry.

Mr. Roger Gale (North Thanet): The rail service between London Victoria and Herne Bay and Margate has been frightful throughout the winter. I welcome the assurances that have been given and the work that the right hon. Gentleman is doing to improve matters. I also welcome the fact that Connex has introduced some new trains, and more are to be delivered in the spring.

The real answer to east Kent's rail problems—touched on by the hon. Member for South Thanet (Dr. Ladyman)—is to upgrade the line between east Kent via Canterbury and Ashford into London using the fast link. Some weeks ago, I attended a meeting with the leader of Kent county council and Railtrack, which has shown a willingness to study the building of a new Thanet Parkway station and a fast line. To do that will require money and European assistance with transport infrastructure. Will the Minister support us in seeking to retain the relevant status for east Kent?

Dr. Reid: As the hon. Gentleman said, in his area, as in many others, there is a desperate need for investment in the railways infrastructure. Hon. Members on both sides will have noticed the recent comments of the acting Rail Regulator about the need to divert more of the surplus profits made by Railtrack into investment in our railways, rather than distributing them.

As the hon. Gentleman knows, we no longer directly control the railways, because the previous Government privatised them. It is our view that, although unfettered competition gave us some benefits, it has had a terrible downside for passengers. We are trying to provide a strategic role for the railways by establishing a Strategic Rail Authority to give long-term direction. We want a network-wide framework within which we can produce a decent railway system and, above all, we want to put the passengers—the consumers, the people who use the railways—at the forefront of all our considerations, rather than any other organisation or group of people.

Mr. Derek Wyatt (Sittingbourne and Sheppey): Like a number of colleagues who have spoken, I travel to London every day, unfortunately on the dreaded Victoria to Sittingbourne line. I caught it last night at five past 11, and I got home at a quarter past one. It is usually an hour's journey.

My hon. Friend the Member for South Thanet (Dr. Ladyman) referred to the east Kent initiative. We want the problems of north Kent to be considered. Sheerness is the fifth largest port, but we cannot connect to Ashford without going up to Victoria. What we need in north Kent and east Kent is a brand new green line that will take freight to Europe so that the east Kent section can be regenerated. Will my right hon. Friend will consider this matter on his away day with the operators?

Dr. Reid: It will be not so much an away day as an "at home" for my right hon. Friend the Deputy Prime Minister on 25 February. Of course my hon. Friend's constituency may well be mentioned. However, the comments that are made daily by hon. Members on both sides of the House should send a message to the train operators and to Railtrack that Parliament, on behalf of the people whom we represent, finds the present performance of the railway system intolerable. There must be year-on-year improvements if the railway companies are to carry the public with them.

Wing Bypass (Buckinghamshire)

4. **Mr. John Bercow** (Buckingham): What representations he has received regarding a bypass for Wing in Buckinghamshire. [68266]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): The A418 is a local authority road and any proposals for a bypass for Wing are a matter for Buckinghamshire county council. The council's transport policy and programme bid for 1999-2000 did not include a proposal for a bypass at Wing.

In the past 18 months, the Government office for the south east has received 86 representations in favour of the Wing bypass—85 letters from the public, and one from the hon. Member for Buckingham (Mr. Bercow).

Mr. Bercow: I am grateful to the Minister, who I hope will be aware that, only last month, I presented a petition on behalf of 1,800 constituents calling for a bypass for Wing on the outer northern route. Given the four fatal and two serious accidents within 2 km either side of the A418 at Wing in the past two years, the prospective rise in pupil numbers at the Cottesloe school from 600 to 1,100, and the fact that residents of 14 old people's cottages in the village cannot cross the road without fear of death from heavy goods vehicles, does the Minister agree that the case for a bypass should be developed, a protected route agreed and, as soon as possible, a construction date announced for a suitable bypass?

Ms Jackson: I understand that Buckinghamshire county council is currently preparing a private finance initiative bid for another road scheme—the Stoke Hammond bypass. That is its first priority. The reasons for the previous Administration withdrawing the programme in 1995 and the environmental reasons for abandoning the original concept remain—namely, a presumption against building new roads across open countryside. The Government's new integrated transport policy looks to road building as a last resort to be used when all other options have been exhausted.

Shadow Strategic Rail Authority

5. **Mr. Lawrie Quinn** (Scarborough and Whitby): What progress he has made towards establishing the shadow Strategic Rail Authority. [68268]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): We are making good progress towards establishing the Strategic Rail Authority. I hope that there will be time in the current Session to introduce a Bill to create the Strategic Rail Authority. In the meantime, we are establishing a shadow SRA which will be operational by the spring. I will announce its chairman soon.

Mr. Quinn: Many in the House know of my interest in railways, but my main interest concerns my constituents who want to travel by rail. Can my right hon. Friend tell the House whether progress will be made towards formulating the Strategic Rail Authority so that it can play a full part in the rail summit on 25 February?

Mr. Prescott: Yes. I hope that the shadow Strategic Rail Authority will be established on 1 April with the new chairman of the British Railways Board and the new franchising director in place. The shadow Strategic Rail Authority will take early action to ensure that the train operators deliver a better performance. It will also provide a strategic plan for the railway industry which will put the passenger to the fore.

Mr. Geoffrey Clifton-Brown (Cotswold): Can the Deputy Prime Minister confirm that the new Strategic Rail Authority will not include any plans to renationalise parts of Railtrack or any other parts of the railway?

Mr. Prescott: The Strategic Rail Authority will have its functions spelled out in the relevant Bill. It will have powers to enforce a better railway system than we have at present. Of course, even under the previous Administration, such authorities retained the right for those bodies—or the Government—to take over a failing railway system. There had to be somebody to step in if the private sector decided that it had had enough, that it was not making enough profits and wanted to pull out. That is the nature of private business, so under any Administration there always has to be an operator of last resort.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I know that my right hon. Friend will be aware that safety is one of the most urgent problems in rail. I hope that he can assure us that the new Strategic Rail Authority—before even the legislation establishing it is on board—will begin asking awkward questions, particularly about the signalling system. If it is true that companies such as Railtrack are letting contractors handle equipment that is likely to be dangerous—even after the companies know, from the report of the Clapham inquiry, that use of such equipment can lead to death and injury—there are very clear indications that urgent action has to be taken to restrain their profit-driven views.

Mr. Prescott: My hon. Friend raises a very important matter to do with safety—for which, of course, the Health and Safety Executive has primary responsibility. However, the Strategic Rail Authority will be able to take into account wider issues, such as those that she raised on maintenance, signalling and Railtrack. All too often, we hear one party blaming another. The Strategic Rail Authority will be able actively to intervene and to give its opinion and judgment on safety in matters such as those that my hon. Friend mentioned.

Mr. Bernard Jenkin (North Essex): While we await the arrival of the Strategic Rail Authority, may I endorse the right hon. Gentleman's comments that passengers should come first? However, I do not know quite where the SRA would be without the £20 billion of private capital made available by the policies of the previous Government. *[Interruption.]* If the right hon. Gentleman did not catch that, I said that £20 billion of private capital was brought in by our policies.

Is the right hon. Gentleman aware that the regulators are about to report that, in the Government's first—almost—two years in office, train services have been getting worse? The Government's decision to close the royal Mall, for example, is causing traffic chaos for Londoners. Do such decisions—with strikes on the underground—demonstrate the right hon. Gentleman's idea of an integrated transport policy? I should remind him that we do not all have recourse to Jaguars and helicopters to help us out of our difficulties.

Mr. Prescott: We can understand why the shadow Cabinet is considering changing the shadow Transport Front-Bench team. Although the Tories may think that Mr. Vroom-Vroom from "Top Gear" will improve their thinking on transport, such questions show the inadequacy of their thought on transport. The hon. Gentleman mentioned £20 billion in assets—which, I presume, takes into account Railtrack's three or fourfold asset-value increase, which was made possible simply because of the cheap price at which the previous Administration sold it. It was, in fact, a giveaway price. The hon. Gentleman's statement that the Government closed down the Mall just shows his total ignorance. It was closed by something called The Royal Parks, which is nothing to do with the Government.

Mr. Michael Jabez Foster (Hastings and Rye): May I tell my right hon. Friend how important is, and how long we have been waiting for, the Strategic Rail Authority to knock together the heads of Connex and Railtrack? In my own constituency, we have a single line from Hastings to Ashford which is unelectrified and which offers no hope of access to the channel tunnel. Connex says that it will do nothing about the line until its franchise is extended, and Railtrack says that it will do nothing without Connex's input. I hope that the Strategic Rail Authority will be able to sort them out.

Mr. Prescott: It is quite clear from my hon. Friend's comments that we do not have rail integration because of the previous Government's obsessive—almost ideological—belief that integration was an alternative to competition, and that competition would solve the problems. Frankly, it will not. We have to integrate services—not only railway lines, but the other forms of transport, such as buses—and our White Paper was dedicated to dealing with that task. Our Strategic Rail Authority will place the emphasis on integration and putting passengers' interests first—not considerations of asset value and money, which have always been the obsession of Conservative Members.

Public Transport

6. **Mr. Tim Collins** (Westmorland and Lonsdale): What plans he has to ensure that road users have access to high-quality public transport alternatives. [68269]

The Minister of Transport (Dr. John Reid): Delivery of high-quality public transport, to give real choice to the travelling public, is the key to our integrated transport agenda. We shall deliver it through the £1.1 billion that we are providing over the next three years for local and public transport, through additional funds and through the Strategic Rail Authority and local transport plans.

Mr. Collins: I thank the Minister for that reply and for the small sums of money being made available for rural public transport in general and the Lake district in particular, but he will know that those sums are chickenfeed compared with the amount being taken out of the pockets of rural motorists by ever-increasing petrol prices. May I urge him to urge his colleagues in the Government to stop penalising rural motorists in south lakeland and elsewhere for travelling in the only way they can?

Dr. Reid: I do not think that the sums can fairly be described as chickenfeed—but, if they are, I wonder how the hon. Gentleman would describe the £1.9 billion less that was to be provided by the Conservative Government. We are developing local transport plans with the help of an additional £700 million and giving £150 million extra for rural buses in areas such as his. In addition, we have brought in quality partnerships on buses, and centres of excellence such as Manchester, with real integrated transport. There has been an increase in freight on rail for the first time in decades: there was a 12 per cent. increase last year and another 16 per cent. increase in the first six months of this year. We are making advances in all those areas.

We do not pretend that we can wave a magic wand and solve the problems overnight, but in 18 months we have done a great deal more and made far greater advances than the Conservative Administration did in 18 years.

Mr. Bill Rammell (Harlow): Does my right hon. Friend agree that the alternatives to road travel need to be attractive and comfortable? Current operating standards for rail operators allow excess loading of 30 per cent. That means that for 30 per cent. of the passengers in my constituency who travel from Harlow to London, paying more than £2,500 a year for the service, the trains are not an attractive alternative. That was the system bequeathed to us by the previous Government. It beggars belief to hear Conservative Members criticising current rail standards, which have been caused by that system. Meanwhile, the Strategic Rail Authority needs to tackle excess loading.

Dr. Reid: Yes, indeed. The worst and most profoundly anti-car policy would be to do nothing. That would increase congestion on our roads, increase pollution and increase discomfort, as has happened over the past two decades. I had hoped that, in view of the massive public disquiet about the railways, the Opposition would agree to put punctuality and reliability on trains above party politics.

We should all back the efforts of my right hon. Friend the Deputy Prime Minister to bring the railway companies and Railtrack to account and call for year-on-year improvements for the rail passengers of this country. We have been prepared to accept the increase in investment and passenger numbers that resulted from rail privatisation, but only a foolhardy Conservative Member would try to deny the daily experience of millions of rail travellers on reliability and punctuality. I hope that the Conservatives will have the good sense politically not to oppose what we are trying to do, but will throw their weight behind the Government's attempts to improve our railway services.

Mr. Matthew Taylor (Truro and St. Austell): I am sure that the Minister is sincere in wanting more people to use public transport instead of private cars. What representations has he made to his colleagues at the Treasury, who currently give tax breaks to those who drive gas-guzzling company cars but tax penalties to those who use public transport provided by the employer? Is he aware that the latest Treasury wheeze is to tax employees who are provided with company buses for the full subsidy that the company offers them, even if the public are also invited to use the buses for public transport?

Dr. Reid: The hon. Gentleman knows that the Treasury never has wheezes; it has rational thought patterns and discussions. Without going into detail, I can confirm that the tax breaks that encourage people to drive more business miles, and the disincentive of taxation of benefits in kind for employers or employees who benefit from buses laid on to bring them to work, have been the subject of discussions between Departments.

I expect that, in light of the enlightened and rational view that my right hon. Friend the Chancellor of the Exchequer has taken on those matters in the past—in terms of protecting the environment, reducing congestion and encouraging public transport—the requests will not have fallen on stony ground. I am afraid that the hon. Gentleman will have to await the decision of Her Majesty's Treasury on the matter.

Mr. David Lepper (Brighton, Pavilion): Does my right hon. Friend agree that a coherent, local and integrated transport policy, including good-quality public transport, is needed in Sussex and Kent if those parts of the south-east are to benefit properly from the economic potential made possible by the channel tunnel? Will he join me in welcoming the initiative taken by Brighton and Hove council, East Sussex county council, West Sussex county council, BAA Gatwick, Sussex Enterprise and—I have to say—Connex South Central in producing the document "Transport: A New Horizon", which sets out the ways in which such an integrated transport policy could help to release the economic potential of the south coast?

Dr. Reid: Yes. Local transport plans must be the vehicle for the implementation of any strategic framework that we set at the centre. That is why local councils, local planning authorities and local transport executives are so important. There is no doubt that part of the integration is the physical integration of the various modes of transport, but that another part is the partnership between central and local government. I congratulate my hon. Friend, and those on the long list of those who have contributed to his local plan. We want to develop centres of excellence in this country, so that we can show—as we are in Manchester, and as we are beginning to do in South Yorkshire and Edinburgh—that, at long last, we can create a real and practical integrated transport system locally.

Mr. Richard Ottaway (Croydon, South): Will the Minister confirm that road users hoping to use London

Underground in the last few days will have been disappointed by recent developments? Will he concede that, with his partial privatisation, Railtrack is no longer interested in the deep tubes and the trade unions are not interested in the partial privatisation? Is the Minister not falling between two stools? All that he wants from the private sector is its money, while he gives nothing in exchange. All that the trade unions want from him is his money, for which he is getting nothing in exchange. The loser is London. Why will he not reconsider the whole project?

Dr. Reid: If, in the course of his busy week, the hon. Gentleman has a chance to base his transport analysis on something other than hearsay evidence reported in newspapers, he will fare much better. No public-private partnership proposal has been received from Railtrack at any stage, although discussions have taken place. There has been no abandonment of Railtrack's commitment to the deep-line tubes, since it never expressed a particular interest in those in any case.

So far as I could ascertain from the hon. Gentleman's question, he was asking about the public-private partnership. What we are trying to do with public-private partnerships, whether it is the channel tunnel rail link—which my right hon. Friend the Deputy Prime Minister negotiated and which won a recent award as the major piece of financial dealing this year—National Air Traffic Services or London Underground, is quite simple. We are trying to get the best of the public sector's strategic thinking and regulation on behalf of taxpayers, and the best of the private sector, while avoiding the worst of unfettered competition and bureaucracy from the centre. That is a sensible way. Some call it the third way, but it is effective.

Nuclear Reprocessing

7. **Dr. Desmond Turner** (Brighton, Kemptown): If he will make a statement on the current progress towards the elimination of radioactive discharges from nuclear fuel reprocessing plants in *(a)* Britain and *(b)* France. [68270]

The Minister for the Environment (Mr. Michael Meacher): The Government are fully committed to the agreement reached at the OSPAR ministerial meeting in Sintra, Portugal last year on the reduction of radioactive discharges from all sources, including reprocessing plants. The French Government have made a similar commitment.

Dr. Turner: I thank my right hon. Friend for that reply. Will he comment on the independent monitoring data on the French plant at Cap le Hague and inform us about the current level of discharge from Sellafield? Does he agree that the only truly safe level for radioactive discharge is zero, and is he satisfied that 2020 is a safe target, in public health terms, for achieving that?

Mr. Meacher: At the OSPAR meeting, it was agreed that there should be progressive and substantial reductions in radioactive discharges to the sea to a point that would add close to zero to historic concentrations of radioactive substances in the marine environment. We have asked the nuclear operators, including British Nuclear Fuels Ltd., to produce 20-year discharge strategies to meet the OSPAR objectives. That will certainly require that the level of discharges be close to zero by 2020. We have been assured by BNFL that it can fully meet that objective, and we certainly intend to hold it to that.

Mr. Ian Bruce (South Dorset): The right hon. Gentleman will surely know that the money that will have to go to BNFL to reduce already very safe levels could be put to much better use in promoting health. Radiation is given off when one burns coal and comes from granite and other sources in our natural environment. It is very foolish of the Government to sign up to such agreements, when, in fact, Sellafield and Cap le Hague are already extremely safe.

Mr. Meacher: The hon. Gentleman is being extraordinarily complacent about the effect of radioactive discharges. Of course we are also concerned about the consequences of burning coal and emissions from granite, which are regulated by the Environment Agency and the other authorities, but it is perfectly clear that the level of radioactive discharge—which the previous Government agreed should continue to be reduced—is too high. A reduction is necessary for health reasons and a regular schedule for that continuing reduction is certainly justified. That is our policy; we are right to have it; and we certainly intend to fulfil it.

Carbon Credits

8. **Mr. Alan Simpson** (Nottingham, South): What plans he has for the regulation of the trading of carbon credits. [68271]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Developed countries took an historic step by agreeing legally binding targets for greenhouse gas emissions in Kyoto. The agreement provides for emissions trading to help countries to meet their commitments. We are working to ensure that the international rules for trading promote an effective system that combines real environmental benefits with the flexibility for business to reduce emissions at least cost. That is a good example of the virtuous circle resulting in a win-win outcome.

Mr. Simpson: I congratulate my right hon. Friend on his contribution to that agreement, but I wonder whether he is aware that major polluters in the United States have already found a way of subverting the trading of carbon credits, so that the public subsidise a transfer of payments to the polluter with no reduction in overall pollution. When he considers the regulations, will he take into account specifically what is being done by the Tennessee Valley authority in getting carbon credit transfers with neighbouring Wisconsin? Two rules may be usefully introduced, one precluding internal trading between or within industrial nations, and one introducing conditionality to carbon credits, requiring the polluter to demonstrate a major programme of pollution reduction before getting any trading entitlements.

Mr. Prescott: I think that the House would like to congratulate my hon. Friend, who recently received the Green Ribbon award after being voted the best environmental politician of the year—especially as both I and my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) have also received that award. That is a good example of how hon. Members on both Front and Back Benches are walking in step, to the benefit of the environment.

However, my hon. Friend raises an extremely good point that is at the heart of the discussions taking place in the international negotiations. That is the requirement that emissions trading must be governed by a strong compliance regime. At Buenos Aires, we agreed that there should be discussions between the technical groups. They have still not been concluded, but we are well aware of the general environmental concern that some developed countries may be tempted to trade in carbon in that way while not doing much about their domestic circumstances. In those negotiations, and in the final conclusion to the strong compliance requirement, the European Union has made it clear that there must be some form of ceiling to prevent such trading, and a commitment from countries to deal with their domestic economies.

Dr. Vincent Cable (Twickenham): Does the Deputy Prime Minister accept that the underlying logic of carbon credits is to reduce the use of carbon-intensive fuels such as coal and to increase the use of less carbon-intensive fuels such as gas? Does not the Government's present energy policy do precisely the opposite?

Mr. Prescott: We are certainly not pursuing the policy on coal adopted by the previous Administration. That policy completely obliterated many communities, and I announced the coalfield community programme to assist them with the difficulties that they face. The Government have made it clear that we are prepared to look at coal energy policy, and we have announced that our aim is to achieve a proper balance between coal and gas.

There are always problems, whichever fuel is used. We take them into account, but our goal is to maintain progress through a properly balanced energy policy.

Mr. Simon Burns (West Chelmsford): May I genuinely congratulate the Deputy Prime Minister on the way in which he has carried forward the work of my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) in this important area? Does he share my disappointment that certain organisations characterised the Buenos Aires conference as an agenda for inaction? In the context of the question asked by the hon. Member for Nottingham, South (Mr. Simpson), how can certain developed countries be prevented from escaping their obligations through some clever footwork? It is clearly important that the developed world provides a proper and sincere lead for the developing world to ensure that we can get to grips with environmental problems.

Mr. Prescott: I am grateful for the kind remarks made by hon. Gentleman. Those are very real problems and, starting from the first day that I took on my ministerial responsibilities, I have said many times at this Dispatch Box that I am grateful for the work done by the right hon. Member for Suffolk, Coastal. He led the way in some of those matters, although the targets were largely voluntary. At Kyoto, we were working to achieve legal targets, and the right hon. Gentleman was a member of the delegation that I took there. The agreement between hon. Members on both sides of the House is very welcome.

I do not agree that the Buenos Aires conference was an agenda for inaction.

Mr. Burns: I did not make that criticism.

Mr. Prescott: I take the point, but that criticism has been made. We won a good victory at Kyoto in achieving the legal targets but, given all the flexibilities involved, it takes more than 12 months to reach agreement. Britain led the way yet again: it was our formula that suggested that a period longer than 12 months was needed to get right the flexibilities on the matter of carbon trading. The issues involved are extremely difficult, and we shall bear in mind the importance of ensuring that the responsibilities are borne fairly by the developed countries that signed up to the agreement. If we do not ensure that, eventually the developing countries will refuse to co-operate and there will be no global agreement. We are well aware of the difficulties, and I am grateful for the hon. Gentleman's support.

Road Charging

9. **Mr. Geraint Davies** (Croydon, Central): What assessment he has made of the benefits of road user charging in London. [68272]

The Minister for Transport in London (Ms Glenda Jackson): The costs and benefits of road user charging were assessed in the London congestion charging research programme, published by the Government office for London in 1995.

A new study has just been commissioned to illustrate the charging powers that we are proposing as part of the legislation to introduce the Greater London authority.

Mr. Davies: Will my hon. Friend confirm that all revenues from road charging in London will be hypothecated for road transport investment in London? Will she also confirm that the Government's commitment to the A23 Coulsdon relief road will not be linked to any particular pricing or charging system in London?

Ms Jackson: I can confirm that any revenue raised will be hypothecated and that every penny will be spent on improving public transport in London. The A23 was part of our targeted improvement plan, and we have always said that any additional revenue raised from either congestion charging or the private non-residential parking levy will be additional to any money that central Government find for transport.

Mr. Richard Ottaway (Croydon, South): Is not London the worst possible place to introduce taxes on road users? Is the Minister aware of a recent report that shows that motorists will have to be charged about £8 a trip if they are to be deterred from entering a town centre? If, as reported, the Government, or a Labour mayor, intend to levy a charge of only £2, does the Minister agree that that will deter no one; that it will not solve the congestion problem; and that the Government are simply using the motorist as a milch cow, replacing the subsidy to London Underground that she will withdraw next year? In short, charging is a tax by the back door, and the Conservative party will oppose it.

Ms Jackson: I am amazed by that diatribe against an idea originally introduced by the Conservative Administration as part of a paper examining the possibility of raising additional revenues from congestion charging. As in so many areas, the previous Government failed. They failed to introduce charges or to ensure that any money so raised would be hypothecated for the improvement of public transport. That was yet another example of how the previous Government failed the country and, specifically, the people of London. We are redressing their failure, and we shall continue to do so.

Uniform Business Rate

10. **Mr. David Heath** (Somerton and Frome): What plans he has to reform the uniform business rate. [68273]

The Minister for Local Government and Housing (Ms Hilary Armstrong): In our July White Paper "Modern Local Government: In Touch with the People", we said that local authorities would be given the power to levy a local rate of up to 5 per cent. of the national rate, provided that the local authority had effective consultation arrangements with business, and subject to business agreement on the use of the money raised. We also said that we would consider reducing the rate burden on small businesses. We said that we would first consult on the details; a consultation paper will be issued shortly.

Mr. Heath: I am disappointed by the lack of action on the uniform business rate, which is innately unfair, particularly to small businesses. If the UBR is considered alongside other measures, such as the way in which the Food Standards Agency is to be funded, does it not appear that the Government's policies favour the superstore over the high street shop?

Ms Armstrong: The hon. Gentleman must have been disappointed with my reply, although I made it quite clear that we recognise the problems of small businesses and that we have agreed to consult them. I have already met representatives, and we shall issue a formal consultation paper in the near future. Perhaps the hon. Gentleman would like to respond to it.

Mr. Lindsay Hoyle (Chorley): Will the Minister consider ensuring that north-west business rates can be spent by the new regional development agencies?

Ms Armstrong: The business rate is an important aspect of local government taxation and of the way in which local government is funded. We want to retain it for those reasons. It ensures that businesses and councils work effectively together, which is essential if local authority areas are to progress. Our White Paper proposals must be properly consulted on, so that we can, with business and councils, find an effective way forward.

Mr. James Gray (North Wiltshire): Given the current state of farming, will the Minister reconfirm the important principle under which farming businesses are exempt from the uniform business rate? Would she go further by considering the plight of those who breed and manage heavy horses, as people do in my constituency? The horses are essential to organic farming, but breeding attracts the business rate. Will the Minister reconsider that disincentive to green farming?

Ms Armstrong: I have said that we will consult on the proposals in our White Paper. The hon. Gentleman will have noted that it contained no proposal to extend business rates to agricultural land.

Soft Drinks (Returnable Deposits)

11. **Mr. Chris Mullin** (Sunderland, South): If he will take steps to require the payment of returnable deposits on soft drink bottles and cans; and if he will make a statement. [68274]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): Returnable deposits may be helpful in particular circumstances, but a legal requirement would conflict with the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 that are already in place to promote recycling and recovery and, in some circumstances, could be contrary to the European Community directive on packaging and packaging waste.

Mr. Mullin: Does my hon. Friend recall that, in the days when he and I were lads, long before the aluminium tin can, we could get thruppence back on a bottle of Corona?

Mrs. Diana Organ (Forest of Dean): Tizer.

Mr. Mullin: And Tizer. As a result, hedgerows and roadsides were not littered with soft and hard drink cans. Will the Minister look for a way around the problem that he has outlined because, were a deposit on drink cans and bottles to return, the problem of litter would disappear?

Mr. Meale: I thank my hon. Friend for his question. He may be aware that the deposits on bottles were a bit more in my day than in his, but we are continually looking at ways in which to resolve that problem. For example, for the past four years, the Department has been trying to negotiate a way forward with business. We have now come up with new regulations that will go a long way towards solving the problem, but we continue to search for ways in which to improve on that. We are working with business to try to find a voluntary arrangement to meet the criteria. Deposit schemes are not always best because they can sometimes incorporate heavy use of transport, which adds to pollution and CO_2 emissions.

Mr. Nigel Evans (Ribble Valley): As the Minister will know, I run a retail business in Swansea. In my younger days, I often accepted a shilling deposit back on a Corona bottle and on many other fizzy drinks bottles. I know that the business community would want to get involved in any voluntary schemes that were available, but is not part of the answer to those problems making more litter bins generally available throughout the country to encourage particularly young people to use those bins, so that they do not discard their refuse in people's gardens and in the streets?

Mr. Meale: The hon. Gentleman is right. The Department of the Environment, Transport and the

Regions is working continually with the Department for Education and Employment, and funding groups such as the Tidy Britain campaign, to find a solution. We are working to educate the masses to save and to stop polluting and contaminating our society.

Company Cars

13. **Mr. Tom Brake** (Carshalton and Wallington): What measures the Government plan to reduce the mileage driven by company car users. [68276]

The Minister of Transport (Dr. John Reid): The Government's White Paper "A New Deal for Transport" contains a wide range of measures to encourage more sustainable car use, many of which should help to discourage unnecessary mileage by company car drivers. We especially want to promote green transport plans among large employers; our aim is to reduce car use for travel to work and on business. The Government continue to review the company car taxation regime, to see how it might be altered to send better environmental signals.

Mr. Brake: I thank the Minister for his response. Will he consider requiring company car drivers to display prominently on their cars the name of their company and a telephone number, so that they are discouraged from using their cars on illegal journeys and dangerous driving is discouraged?

Dr. Reid: The hon. Gentleman in many ways symbolises what is good and bad about the Liberal party: the sentiment is good and the ideas completely batty. That plan would intrude on the privacy of those individuals and raise questions of security. That shows that it is an ill-thought-out plan. Therefore, although I am prepared to give an accolade to his good sentiments, I suggest that he think a little more about the practical implications of his proposals.

Mrs. Anne Campbell (Cambridge): Is my right hon. Friend aware that transport is critical for the economic development of the eastern region? Does he agree that a change in company car taxation so that a bigger subsidy could be given to public transport would be one way to solve the severe congestion that we face, especially in the region around my constituency?

Dr. Reid: Yes, I accept that the eastern region is important for the economic development of the country as a whole. We have introduced the idea of a new income stream for local authorities through congestion charging, which partially meets my hon. Friend's point. Both sides of the House recognise that the main problem with company car taxation is that, at a certain level, there is an incentive to drive more business miles to pay less tax. I know that the matter has been, and continues to be, reviewed by my right hon. Friend the Chancellor of the Exchequer. It has been discussed between Departments and between the Chancellor and my right hon. Friend the Deputy Prime Minister.

Meningitis (South Wales)

3.31 pm

Ann Clwyd (Cynon Valley) (*by private notice*): To ask the Secretary of State for Wales to make a statement on the meningitis outbreak in south Wales.

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): Over the past two weeks, 11 cases of meningococcal infection have been identified in the Taff Ely area. Seven cases have been identified in schoolchildren attending Coed-y-Lan upper and lower schools and Trerobert primary school at Ynysybwl. Two pre-school children have also been affected and one 15-year-old pupil has died. Immunisation of all staff and pupils at the three schools is being carried out today. Appropriate antibiotics have been given to the above and to direct contacts in the case. The two other cases involve a teacher at Cardinal Newman school in Rhydyfelin, and an older woman from there, both of whom died. The teacher is believed to have had contact with one of the other known cases. Two helplines have been established, one by the health authority, and one by the education health authority. The National Meningitis Trust is also active[illegible]volved in providing advice locally.

This is a rare situation and all general practitioners are being asked to be alert to the signs and symptoms of meningococcal disease in the Bro Taf area. Parents and guardians should also be vigilant. It is a dreadful illness, swift and sometimes fatal in effect, but it is very treatable if prompt diagnosis is made. The House will share my sympathies for the relatives of the deceased and for the great anxiety that the people of the Pontypridd area, especially parents, are feeling.

Ann Clwyd: I am grateful to my hon. Friend. I offer my sympathy to the families of those who have died, and to those who are concerned about children who are sick in hospital or attend schools where an outbreak has occurred. My hon. Friend the Member for Pontypridd (Dr. Howells), the Minister for Competition and Consumer Affairs, who is sitting on the Front Bench at the moment, has already been actively concerned in the matter.

I am getting phone calls from worried constituents who fear that their children are at a school where one death has occurred but where they are not receiving any offer of treatment. Why is that? Can the Minister say how contagious health professionals believe meningitis is and say who needs antibiotic protection and who needs immunisation? A public health emergency has been declared in the Bro Taf health authority area. As my hon. Friend said, parents have been asked to be extra vigilant in looking for the symptoms of meningitis. Spotting the symptoms is vital, but even now, not everyone knows what to look for, particularly as there are several strains of meningitis with various symptoms. Can my hon. Friend spell that out? Can he also assure the House that there are sufficient stocks of all medicines that might be needed to contain the outbreak? Can he give details of the public helpline available to people who are concerned and who would like further information?

Are there any social, psychological or biological reasons why the number of cases among teenagers has apparently more than doubled in the past few years? I know that, in 1996, there was an outbreak of meningitis in the Minister's constituency. Given that it appears that Wales has one of the highest levels of meningitis in Europe, can he tell the House whether any research is being done to establish the reasons?

Mr. Jones: Meningitis is a highly complex illness and medical science is far from understanding why there are outbreaks in particular areas at particular times and why they do not occur more often. The bacterium that causes the illness is present in about 10 per cent. of the population at all times, yet it does not normally—in most cases, for most people and at most times—cause an outbreak. What exactly causes an outbreak to occur remains a matter of great conjecture.

The vaccinations that exist are effective against a particular strain of the illness—the strain that is present in the cases reported in Pontypridd. However, the vaccine is not effective for long, nor is the use of antibiotics: those prophylactic measures have to be applied where and when the illness occurs, when it occurs in a non-sporadic fashion. The vast majority of cases, dreadful as they are, are sporadic, in that no others are affected. That is not the case in Pontypridd, where there has been a relatively large number of cases.

The health authority and the education authority have acted promptly to ensure that antibiotics and vaccinations are delivered to those who are most at risk. I am confident that all that could reasonably be asked to be done has been done promptly in the Pontypridd area.

Mr. Nigel Evans (Ribble Valley): I offer the sympathy of the official Opposition to the families and friends of those who have died of the disease. I pay tribute to the nurses and medical teams who are working in the Bro Taf health authority area, vaccinating pupils, teachers and others at three of the schools in the area affected by the outbreak; and to staff from medical charities associated with meningitis who are working with parents, spreading information about the disease and counselling those in need.

What extra support is the Minister giving the health authority to ensure that it is able to deliver the necessary medical support as quickly as possible to those in need, while ensuring that other medical priorities are not affected? Are there any plans to vaccinate pupils and staff from other schools in the area? What contact has the hon. Gentleman had with the Meningitis Research Foundation and the National Meningitis Trust, both of which are being inundated with requests for help, advice and counselling? I have spoken to both organisations today: one told me that 200 calls had been received over the weekend, and the other said that, this year alone, 10,000 calls had been received—an incredible figure. What extra resources can be given to those organisations, to help them to disseminate information and counsel parents, pupils and others in the short term?

As the hon. Member for Cynon Valley (Ann Clwyd) said, the incidence of meningitis among teenagers has doubled over the past three years. The incidence of meningitis in Wales is three times that in the United States of America: we in Wales have had 45 cases this year alone. In the long term, what extra help can be directed towards urgent medical research into the disease?

What action are the Government taking to ensure that adequate advice is given to those who need it? Parents and others need to be reassured: although there is no need for panic, there is every reason to be aware of the disease, of what to look for and of what to do if there is any suspicion that someone has the disease. The Meningitis Research Foundation and the National Meningitis Trust carry out those functions, but demands on their time and resources have increased tremendously over recent months. What can be done to assist them?

Do the Government intend to issue fresh guidelines, not just to general practitioners but to schools and universities? The Minister will be aware of other outbreaks in the area over recent months. What is being done to ensure that sufficient vaccines and antibiotics are made available, as the hon. Member for Cynon Valley asked?

The latest outbreak is worrying, and follows others not just in south Wales but in other parts of the country. Normally, the cycle would have peaked, but 1997 saw the highest incidence of meningitis since the second world war. What national strategy and action are the Government considering to ensure adequate assistance, and that the current cycle and the spate of outbreaks are urgently and properly contained?

Mr. Jones: The Government recognise that urgent vaccine development is required. In the coming year, £1 million will be put into such development. Vaccines and antibiotics have been made available in the south Wales area. Additional antibiotics and vaccines have been brought into the area from Bristol and the west midlands to ensure that adequate supplies are available. The monitoring committee, which is considering developments on the ground, is meeting at 6 o'clock tonight. I know that it is considering whether further vaccination should be called for and delivered to other schools.

It has been recognised over the past few years, partly as a result of the outbreak in Cardiff in 1996, that some people are particularly vulnerable, especially first-year students who are staying in halls of residence. I know that many health authorities have been issuing vaccines to such students as a matter of course when they go to university.

Ms Julie Morgan (Cardiff, North): May I express my deepest concern for the families involved, especially given that my constituency neighbours that of my hon. Friend the Member for Pontypridd (Dr. Howells). Will the Under-Secretary confirm exactly what strain of meningitis has been identified? Will he advise parents whether they should send their children to school in such circumstances? I know that a number of parents are understandably keeping their children at home, and such advice would be useful. I also know that a number of teachers who have children of their own are concerned about whether they should be going to school. Will my hon. Friend please offer some advice?

Mr. Jones: The strain responsible for most of the cases is C2A, which is a new strain to the area, but not to the country. It has been known for the past four years, and has proved particularly virulent in this outbreak. One of the patients has been infected by a different strain—1B. The schools that have been affected have closed, although I do not believe that that was done on medical advice. It is up to the medical authorities to advise when and whether schools ought to close.

Mr. Lembit Öpik (Montgomeryshire): The Liberal Democrats share the great concern of all in the House about the tragic deaths, and the worry that the outbreak is causing parents and children who live in fear of contracting the infection. We welcome the speedy response of the health service during this very difficult time. Does the Minister agree that it is vital that parents follow the advice of local physicians and that, if asked, for example, to take their children to a school for vaccination, they should not ignore such a request out of misplaced, albeit understandable, loyalty to their children and worry of further exposure to the infection?

Mr. Jones: I concur completely with the hon. Gentleman's remarks. My hon. Friend the Minister for Competition and Consumer Affairs, who is sitting beside me, is not only the local Member but a parent of children at one of the schools affected. He has informed me that almost 100 per cent. of parents have responded and that the way in which the education and health authorities have co-ordinated work in Pontypridd has been exemplary.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I, too, offer my sincere condolences and those of my party to the bereaved families. In view of what the Minister said earlier about the complex nature of the disease and its many and varied symptoms, will he redouble the Department's efforts to ensure that all general practitioners are made acutely aware of those symptoms and of the need for urgent action when they appear?

Mr. Jones: All the general practitioners in the area have been given detailed guidance about this outbreak, and they periodically receive advice about outbreaks in general.

Mr. Malcolm Savidge (Aberdeen, North): I express my condolences to those affected by the tragedies in south Wales. Will the Minister join me in expressing relief that Claire Booth, the 16-year-old schoolgirl in my constituency who was reported just last night to be fighting for her life against this virulent strain of meningitis, is today reported to be showing signs of making a remarkable recovery? Will he join me in wishing her a full and early recovery? In the light of the experience in south Wales, will he also join me in urging everyone to show the utmost vigilance in fighting the spread of this terrible disease?

Mr. Jones: Yes, obviously I am delighted that the girl is making a recovery. As a parent, I cannot imagine anything more worrying than the thought of my child falling ill with a disease that is so swift in its action and possibly fatal in its outcome. I only hope and pray that the Pontypridd child who is now critically ill in the University hospital of Wales makes a recovery.

Mrs. Cheryl Gillan (Chesham and Amersham): I, too, offer my sympathies to the constituents of the hon. Member for Cynon Valley (Ann Clwyd), who raised this question. The Minister might recall that in my constituency, last July, there was an outbreak of meningococcal meningitis in a scout camp. Happily, the children who were affected recovered, and the doctor who was originally consulted, Buckinghamshire health authority and the scout leaders reacted rapidly in giving information to the parents and children and administering the necessary antibiotics.

[Mrs. Cheryl Gillan]

Will the Minister join me in congratulating those concerned on their prompt action on that occasion and agree with me that the co-ordination of public services by the health authority in the event of such an outbreak plays a pivotal role in preventing unnecessary anxiety and meeting the need for swift medical action? Will he consider what extra resources he may make available to health authorities that find themselves facing those extra, demanding responsibilities?

Mr. Jones: I share the hon. Lady's commendation of the work in her constituency to identify the disease early. Prompt action can be, and usually is, successful in treating those affected, but it is difficult to diagnose the illness because its symptoms are so similar to those of many other conditions. It is understandable that sometimes those symptoms are initially missed. We must ensure that, where there is an outbreak, we direct sufficient resources to the area and bring the problem to the attention of GPs and parents so that prompt action will be taken, if not in all cases, at least in the vast majority of them, so that we can stamp out the outbreak as fast as possible.

Points of Order

3.49 pm

Mr. Michael Howard (Folkestone and Hythe): On a point of order, Madam Speaker. May I ask whether you have had any intimation from the Foreign Secretary, or from another Foreign Office Minister, that either intends to make a statement at the Dispatch Box about the Foreign Affairs Committee's report on Sierra Leone? As you may know, Madam Speaker, the report is very damning of both the Foreign Secretary and the Foreign Office. May we expect to hear from the Foreign Secretary at the Dispatch Box soon?

Several hon. Members *rose—*

Madam Speaker: Mr. Alan Clark.

Mr. Alan Clark (Kensington and Chelsea): Further to that point of order, Madam Speaker. What is the House of Commons to do when the Foreign Secretary, whose principal official has been heavily criticised in the report, remains mute, while the Prime Minister prefers to appear on a chat show and rebut the whole report, because he is frightened—as he always is—of coming to this place and accounting for his actions and those of his Government?

Madam Speaker: There is no point of order there for me to answer. I cannot, of course, refuse to take points of order, but they must be genuine points of order to which I can respond.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Madam Speaker. Can you help us by giving us some guidance on how the House can respond promptly and effectively to a report that is so clear, so damning and so sensational? Surely the House must take a lead in responding, to ensure that there is proper accountability when one of our most senior Select Committees has produced a document that is beyond doubt and beyond argument.

Mr. Menzies Campbell (North-East Fife): Further to that point of order, Madam Speaker. Is not the case for a statement on the report doubly underlined by the trenchant terms of the criticism in it, and by the fact that the House should have an opportunity to learn the extent to which the Foreign Office has responded to the criticisms made by Sir Richard Scott, which were equally damning of the last Government and their misleading of the House of Commons?

Mr. Nicholas Winterton (Macclesfield): Further to that point of order, Madam Speaker. You safeguard the interests of the House and of Back Benchers. I ask you whether it is appropriate, after the publication of such a damning report, for the Prime Minister of this country to see fit to appear on a chat show—the Jimmy Young show, I believe—to rebut its findings, without doing either you or the House the courtesy of coming here first to make a statement.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker.

Madam Speaker: Does it refer to the original point of order?

Mr. Skinner: Yes, Madam Speaker. I just want to put the balance right. *[Interruption.]* I can handle five Tories any day of the week.

In respect of the point of order that you were not very clear about, Madam Speaker—and I agree with you—let me remind you of something. If you refer to *Hansard* of a few months ago, when the issue first arose, you will see that I declared then that some high-falutin' Foreign Office official was at the centre of the controversy. It has taken this tinpot Select Committee God knows how many months to find out what I told the House last year.

Several hon. Members *rose—*

Madam Speaker: Order. I cannot go on taking points of order. I think I have the feeling of some Members.

First, as hon. Members know, comments that the Prime Minister makes outside the House are not a matter for me. Secondly, I was asked whether we could debate, promptly and effectively, an issue that is concerning a number of Members. As I do not determine the business of the House, that can only be arranged through the usual channels, and Members who are anxious for the matter to be debated should adopt that approach.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) made his point succinctly. He is keen for a statement to be made, and I understand that. I cannot force any Minister to make a statement on this or any other matter, but those on the Government Front Bench will no doubt have heard the right hon. and learned Gentleman's views and those of Back Benchers, and will report accordingly.

Mr. David Wilshire (Spelthorne): On a different point of order, Madam Speaker. I wish to raise the issue of what appears to have been a leak of a confidential parliamentary document.

At 10 am today, the Foreign Affairs Committee published its report. It decided, as a matter of courtesy, to release it two hours early, covered by an embargo. The report was released to the media, and to the Foreign and Commonwealth Office, at 8 am. At 7 am the "Today" programme was reporting Foreign and Commonwealth Office spokesmen and the Foreign Secretary as dismissing the contents of the report. Surely it follows that, to dismiss the report, they must have read it. They must therefore have had a leaked document before it was released under embargo. What are the arrangements for investigating what appears to be a serious breach of parliamentary rules?

Madam Speaker: The hon. Gentleman began his point of order by referring to what appears to be a leak of a parliamentary document. It was certainly a discourtesy if an embargo was broken. It is a matter for the Committee. I hope that the hon. Gentleman will take it up with the Committee and the Committee Chairman, and follow it through that way.

BILL PRESENTED

IMMIGRATION AND ASYLUM

Mr. Secretary Straw, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Cook, Mr. Secretary Dewar, Mr. Secretary Dobson, Mr. Secretary Darling, Mr. Geoffrey Hoon and Mr. Mike O'Brien, presented a Bill to make provision about immigration and asylum; to make provision about procedures in connection with marriage on superintendent registrar's certificate; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 42].

Transport of Farm Animals

3.55 pm

Mr. Gwyn Prosser (Dover): I beg to move,

> That leave be given to bring in a Bill to make provision with respect to the welfare of farm animals exported from Great Britain: to require Ministers to lay before Parliament proposals for ending the export of live farm animals and the transport of such animals over long distances; and for connected purposes.

My Bill is designed to help to bring live exports to an end. it reflects the widespread public concern about that cruel trade. In a recent poll commissioned by Compassion in World Farming, a massive 88 per cent. of those questioned said that they believed that the export of live animals should be brought to an end. They believed that animals should be slaughtered in the United Kingdom and exported as meat. I am in complete accord with that view, and I am pleased that the Government have restated their clear preference for our meat to be exported on the hook rather than on the hoof.

Each year, more than 500,000 animals—mainly lambs and sheep, but also pigs—are exported on lengthy journeys of 30 hours or more. Crammed into overcrowded trucks, the animals are vulnerable to being badly bruised and seriously injured. If they fall down, they stay down, trampled by their companions. In summer, hot weather and poor ventilation can be killers. Not many years ago, we heard ghastly reports of the 300 British sheep that died of heat exhaustion during a journey to Greece. Three quarters of the total stock perished in torturous conditions.

Before I came to the House, I was a Merchant Navy officer. I have heard the cries of shipped animals in the Red sea. I have smelt the stench of rotting carcases in the Arabian gulf. During my 12 years' sailing on cross-channel ferries from Dover, I witnessed the suffering of lambs and calves as they struggled to stay standing against the violent rolling of the ship when stuffed into overcrowded trucks.

I am pleased to acknowledge that significant improvements have been made in recent years. Building on initiatives taken by the previous Administration, the Government have implemented the Welfare of Animals (Transport) Order 1997 and are conducting a major review on the subject. Although the new regulations represent a step forward, they are still failing to ensure uniformly high standards of welfare and enforcement.

Just last autumn, welfare societies tracked down UK sheep that had been sent right across Europe to Greece. By the time they arrived, they were in extremely poor condition—most were gasping for air and many had already died. Last December, Compassion in World Farming trailed British sheep from a staging point in Belgium down to a slaughterhouse near Bari in southern Italy. The journey covered 2,000 km and lasted 30 hours. Together with the journey across the UK and the trip across the channel, the total travelling time could have exceeded 40 hours.

When the investigators tried to film the truck on its arrival at the slaughterhouse, two gunshots rang out from the slaughterhouse and they had to abandon their filming, but the gunshots are clearly recorded on video. We do not have to guess what the slaughterhouse bosses were trying to hide. Earlier film footage of the same location shows sheep being roughly dragged across by their back legs, their heads bumping along concrete floors. The stunning process was so casually applied that the animals were in danger of regaining consciousness during the bleeding out.

The suffering inherent in live exports was highlighted as long ago as 1993, when the European Commission stressed that

> "long distance transport in overstocked vehicles, combined with dehydration and starvation, results in poor welfare and often in high mortality."

Soon we will again witness what is undoubtedly one of the most cruel facets of the live animal export trade. Each March, thousands of United Kingdom sheep are exported to France for ritual slaughter during the Aid el Kabir festival. The animals are killed in open fields on the outskirts of Paris. The sheep are held down, their throats are cut and, while fully conscious, they bleed to death. Many of those killing the animals are untrained and carry out the slaughter so inexpertly that the sheep can take several minutes to die.

Science shows my concerns about the live animal trade to be well founded. A paper on sheep transport by scientists at the university of Bristol concluded that,

> "from a welfare point of view, transport distances and times should be kept to a minimum".

It added:

> "this study and previous work show that transport is a stressful process involving psychological and physical stress."

The researchers concluded that long journeys can result in increased levels of disease and mortality.

Although I seek to improve the general welfare of animals in transit, my Bill is also designed to bring this cruel live export trade to a complete end. Successive Governments have argued that European trade rules prevent us from prohibiting live exports. My Bill requires my right hon. Friend the Minister of Agriculture, Fisheries and Food to lay before Parliament proposals for securing a derogation from our European Union partners permitting the United Kingdom to prohibit live animal exports.

We would argue our case on the ground that an overwhelming majority of British people consider this inhumane trade to be morally offensive. In 1991, the then Government secured a derogation permitting the United Kingdom to retain its ban on the export of horses for slaughter. Having demonstrated the principle that public moral offence is sufficient cause to seek, and obtain, derogation, it is not unreasonable, considering the growing moral objection to this trade, to ask the Government to extend that principle to farm animals.

A review of the European Union's transport directive is due at the end of the year. My Bill requires Ministers to lay before Parliament proposals in respect of how to encourage our EU partners, when undertaking that review, to embrace a far-reaching change of policy, whereby long-distance live transport would be abandoned throughout the EU and replaced by trade in meat.

My Bill also contains a number of measures designed to strengthen the welfare rules that currently govern the trade. Exporters claim that continental consumers want only our live animals, not our meat. As 95 per cent. of our sheep exports are in meat form, that argument is simply not borne out by the facts. With skilful marketing on the continent, it should be possible to convert all our exports into meat form.

United Kingdom abattoirs would clearly benefit from the ending of live exports. If, instead of being sent for slaughter abroad, the animals were slaughtered in this country, many new jobs, and extra profits, would be created in United Kingdom abattoirs and the allied industries. The rural economy would benefit from the added value derived from processing animals in this country rather than exporting them.

The export of tiny calves to continental veal crates first alerted public opinion to the horrors of live exports. Calf exports were halted by the beef ban. Dairy farmers, however, have made it clear that they want to resume calf exports. The recent lifting of the beef ban did not extend to calf exports, but, at a future stage, the EU may lift the ban as part of its changes.

Accordingly, it is vital, as my Bill requires, that the Minister should seek a derogation permitting the United Kingdom to prohibit live exports. Unless an exemption is allowed, thousands of calves could again be shipped off to endure an unimaginably cruel existence in the veal crates of Holland.

Finally, I want to mention a new abuse that has recently come to light. About 150,000 breeding sows are exported annually from the United Kingdom. On arrival on the continent, many are kept in sow stalls and tether stalls—systems so cruel that their use is illegal in the United Kingdom. I believe that it is wrong for sows to be exported for rearing abroad in systems that are so cruel that they are outlawed in our country.

We pride ourselves on being a nation of animal lovers, yet in the name of free trade we permit a commerce that regularly inflicts great suffering on animals. This inhumane trade in live creatures is cruel and unnecessary. My Bill will help hasten its end, and I urge the House to give it enthusiastic support.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gwyn Prosser, Jackie Ballard, Mr. Peter Bottomley, Mr. Vernon Coaker, Mr. Bill Etherington, Mr. Jim Fitzpatrick, Mrs. Eileen Gordon, Mr. Mike Hancock, Mr. Nigel Jones, Laura Moffatt, Dr. Nick Palmer and Angela Smith.

TRANSPORT OF FARM ANIMALS

Mr. Gwyn Prosser accordingly presented a Bill to make provision with respect to the welfare of farm animals exported from Great Britain; to require Ministers to lay before Parliament proposals for ending the export of live farm animals and the transport of such animals over long distances; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 19 March, and to be printed [Bill 43].

Orders of the Day

Employment Relations Bill

Order for Second Reading read.

Madam Speaker: I have selected the amendment in the name of the Leader of the Opposition.

4.7 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move, That the Bill be now read a Second time.

The Bill will promote the best of modern employment relationships in all our companies, encouraging a culture of fairness and trust in the workplace coupled with rights and responsibilities. We believe that, to achieve the prosperity that we want to see, there must be minimum rights for people while they are at work. That is in the interests of business as well as individuals, and that is why the Bill will be welcomed by good employers and responsible trade unionists everywhere.

This legislation is a balanced and fair package that reflects careful thinking and thorough consultation. It delivers our manifesto pledge to provide minimum standards for treatment at work and to develop family-friendly employment policies. Our consultations began soon after the election, when we asked the Confederation of British Industry and the Trades Union Congress to hold talks on trade union recognition. They continued last May with the publication of the Government's "Fairness at Work" White Paper.

As that White Paper and our subsequent work on improving Britain's competitive position have shown, wealth creation can be married with a strong, fair and just society. There is no contradiction. We need enterprising businesses to prosper, creating wealth, jobs and opportunities for all our people.

The Bill sets out a radical, forward-looking package of measures that will create a framework of employment relations law fit for the next century. It will replace policies supported by the Conservative party, which were based on the notion of conflict between employers and employees, with measures for partnership based on rights matched by responsibilities.

The legislation will contribute to economic prosperity by reducing staff turnover, increasing morale in the workplace and raising productivity. It will address the fundamental imbalance in the workplace that we inherited from the Conservative party after its 19 years in office.

Of course, some steps were needed to curb the worst of trade union excesses, and those measures will be retained. But the Tory Governments went too far, fostering a divisive culture of mistrust and conflict, fear and low productivity, with workers being discriminated against because they worked part-time or chose to belong to a trade union.

The Government are clear that our future economic success cannot be based on insecurity, exploitation and discrimination, and the Bill will tackle those difficulties. Now, more than ever, we need to foster a new culture in the workplace. The world is changing and the world of work has altered dramatically over recent years.

[Mr. Stephen Byers]

More people are working part-time, or on temporary contracts—29 per cent. of the work force are part-time, roughly double the figure 25 years ago.

Mr. Alan Johnson (Hull, West and Hessle): Is my right hon. Friend aware of a decision by Opposition Members to become part-timers? Is there some industrial action by Conservative Back Benchers or is there another reason why only six Conservative Back Benchers are here to support their reasoned amendment?

Mr. Byers: My hon. Friend makes an important point about the way in which the Opposition are treating the Bill. I hope that they will reveal the extent to which they plan to oppose certain key measures. I had expected more Opposition Members to support the right hon. Member for Wokingham (Mr. Redwood)—[HON. MEMBERS: "Why?"]—The Bill addresses the issue of insecurity at work and the right hon. Gentleman must have deep concerns about his own position, given the comments that have been attributed to the Leader of the Opposition. I have read the Bill in great detail and I regret that the provisions on job security do not cover the shadow Cabinet. I am sorry about that, but if amendments are tabled in Committee, perhaps the Minister of State, my hon. Friend the Member for Makerfield (Mr. McCartney), will give them consideration—or perhaps not.

To return to the changed nature of the work force, more women than ever are working and more families depend on two earners. More than 50 per cent. of married women with children under five work—again more than double the figure a generation ago.

Mr. Peter L. Pike (Burnley): My right hon. Friend is referring to various categories of worker. There has also been an increase in the number of agency workers. Will he emphasise that the Bill will provide better protection to those employed in such work?

Mr. Byers: My hon. Friend makes an important point. Some 1 million people now work through employment agencies. A Bill that addresses the modern labour market must contain provisions that apply to employment agencies. I am pleased to say that the Bill includes specific measures to tackle abuses involving employment agencies, and I shall refer to them later in my speech.

In a changed labour market, it is important that the Bill addresses the different nature of the work force. Increasing numbers of workers need to balance work with other commitments, such as caring for children or elderly relatives. New working patterns put new responsibilities on the Government, businesses and employees. They place a responsibility on the Government to ensure minimum standards of fairness and treatment for all in society and they place a responsibility on business to ensure that the task of making a reality of the flexible labour market does not fall solely on working people.

Dr. Norman A. Godman (Greenock and Inverclyde): The legislation is most welcome. May I make a plea to my right hon. Friend on behalf of a very small work force? I refer to the few hundred men employed as fishermen by a small number of trawler companies. Down the years, they have been treated as casual workers in every sense of the word. I hope that the Bill will enable them to be treated differently by their employers, some of whom have been among the worst in Britain.

Mr. Byers: My hon. Friend makes an important point. Although their numbers may be small, their needs must be addressed. The Minister of State, my hon. Friend the Member for Makerfield has already had discussions with his colleagues in the Ministry of Agriculture, Fisheries and Food. We are giving very serious consideration to the particular circumstances applying to that section of the work force.

Mr. Jim Marshall (Leicester, South): I welcome the main thrust of the Government's legislation. However, as my right hon. Friend is talking about protection of the work force, will he perhaps help the House to understand better why employees working in companies with fewer than 21 employees will be excluded from the provisions on trade union recognition?

Mr. Andrew Mackinlay (Thurrock): Why?

Mr. Byers: I shall explain, if my hon. Friend the Member for Thurrock (Mr. Mackinlay) will give me a chance to do so.

I have listened to the arguments that the collective rights provisions should apply to all businesses. Such decisions are always a matter of balance. Our view was that undue burdens should not be placed on businesses in circumstances in which it would not be appropriate to do so, and that, in such circumstances, we should not be prepared to extend the trade union recognition provisions. Although I understand the strong views that have been expressed, we believe that the package is reasonable and balanced. As it is balanced, we have not been prepared to accept the representations made by my hon. Friend the Member for Leicester, South (Mr. Marshall) and some of his colleagues. Although I know that they will be disappointed, we think that, on balance, the package is the right way to move forward.

Mr. Mike Hancock (Portsmouth, South): If the Secretary of State genuinely believes what his Department is saying—that, in the next 10 years, most new jobs will be created in companies with fewer than 21 persons—surely there is absolutely no logic in withholding the rights of those individuals to be members of a trade union, or in companies not recognising the collective might of those employees? Surely his point falls foul of the fact that the overwhelming majority of new jobs will be created in the sector of small businesses with few employees.

Mr. Byers: I should put the record straight. The Bill contains provisions that will ensure that any individual—regardless of the size of organisation for which he or she works—will be entitled to belong to a trade union and not to be discriminated against because of trade union membership. All individuals—regardless of the size of organisation for which they work—will be able to have someone of their choice represent them at a grievance or disciplinary hearing. If a company or business employing fewer than 21 people decides voluntarily to recognise a trade union, it will be perfectly entitled to do so. However, on balance, the Government have taken the view that it is reasonable to have a cut-off.

It is worth bearing it in mind that, in the past decade or so, many large employers have gone for derecognition. Now, because of the Bill's provisions, there will be automatic recognition of a trade union of which a majority of the work force are members. The provision will be welcomed by many thousands of people who are trade union members but have been denied recognition of their union.

The Government believe that the Bill strikes the right balance and will be an important step forward. I should hope that most people, on examining the provisions, will agree that they provide a structure that will serve in the years ahead.

Several hon. Members *rose—*

Mr. Byers: I shall give way in a minute or two, but should first make some progress in my speech.

The final point on responsibility is employees' responsibility to demonstrate loyalty and commitment to their employer. However, flexibility does not have to entail—it must not entail—insecurity and poor treatment, which lead only to additional stress for many whose lives are already too stressful, to low morale and to poor productivity. We must help people to adapt to the new world of fast-changing markets and shifting work patterns without sacrificing their quality of life.

The measures proposed in the Bill are already applied widely in many of our top-performing companies, which are reaping the benefits of greater employee commitment and co-operation, reduced staff turnover and absenteeism and increased productivity. The proposals, by underpinning modern employment policies in law, will help to spread just that type of best practice to all parts of the economy. We believe that, if employers treat their work force sensibly, employees will respond with loyalty and commitment.

Mr. Dennis Skinner (Bolsover) *rose—*

Charlotte Atkins (Staffordshire, Moorlands) *rose—*

Mr. Byers: I shall give way to my hon. Friend the Member for Bolsover (Mr. Skinner) first.

Mr. Skinner: Does my right hon. Friend agree that having a cut-off point can create problems, whether it is 20, 15 or any other number? Is he aware that a large number of firms throughout the country with work forces of fewer than 20 have granted recognition rights to trade unions? One possible danger—I hope that it does not arise—is that some firms with a work force of, say, 18 might decide to abandon trade union recognition because the new law says that they do not have to recognise unions if they employ fewer than 20 people. What safeguards will be available to trade unionists who have an agreement, but might lose that recognition because of the cut-off?

Mr. Byers: As I said earlier, there is nothing in the Bill to stop voluntary agreements that have already been entered into. I hope that employers will recognise the benefits of trade union recognition. Many companies do. I shall give examples later of companies that have a positive partnership with their trade unions. They are successful, prosperous companies that are growing and are able to employ more people. Nothing in the Bill should act as a disincentive to employers on trade union recognition. The trade union movement needs to demonstrate to people in the work force the benefits of union membership. It is worth reflecting on the fact that 4 million people in many of the categories of organisation mentioned by some of my hon. Friends are not in union membership. The challenge to the trade union movement, in the light of the Bill in particular, is to recruit people. Unions now have a reason to do so, because if more than half the workers in a work place are in union membership there will be automatic recognition.

Mr. Michael Fabricant (Lichfield): Will the right hon. Gentleman give way?

Mr. Byers: Just a second; I want to answer my hon. Friend's point first. I understand the concerns about the cut-off, but we believe that the Bill is a balanced package.

Before I give way to the hon. Member for Lichfield (Mr. Fabricant), I must give way to my hon. Friend the Member for Staffordshire, Moorlands (Charlotte Atkins).

Charlotte Atkins: I thank my right hon. Friend for giving way. Is he aware that the accident rate in a workplace that has unionised workplace representatives is half that of non-unionised workplaces? Does he agree that the Bill will improve health and safety at work, even though it has no specific provisions on that?

Mr. Byers: I have no doubt about that. Health and safety representatives are important, and there are measures in the Bill to help those who carry out that important responsibility. There is no doubt that businesses that have union recognition are far safer places to work than those with no such provision.

Mr. Fabricant *rose—*

Mr. Byers: I want to make progress, but I shall give way in a minute.

There are three fundamental strands running through the Bill. The first is to promote family-friendly policies. The second is to promote a new culture of partnership in the workplace. The third is to ensure equal and fair treatment for all in the workplace. There will not be a continuous drip, drip of employment legislation throughout this Parliament. We have no plans to bring forward further measures. We intend this industrial relations settlement to last for the remainder of this Parliament.

Mr. Fabricant: I am grateful to the right hon. Gentleman for giving way. I should like to pursue the point raised by the hon. Member for Bolsover (Mr. Skinner) about small firms with perhaps 18 employees. Does the Secretary of State accept that there might be one or two unscrupulous employers—to use the words of the hon. Member for Bolsover—who might be disinclined to employ 20 or 21 people for fear of compulsory union recognition? What assessment has he made of that?

Mr. Byers: The hon. Gentleman always makes interesting interventions. If a business needs to employ

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21 people to be prosperous and to make a profit, I am sure that it will do so. I do not believe that the measures in the Bill will act as a disincentive in that respect.

I wish to refer to one of the most important aspects of the Bill—the package to promote family-friendly policies. The Bill's provisions form a major part of the Government's agenda for supporting families. Many businesses, large and small, have adopted practices in support of the family, to the mutual benefit of the organisation and the employee.

Let us consider some illustrations of those companies and individuals who have benefited from flexible, family-friendly arrangements. One example is one of our leading supermarket chains, which has seen the benefits of being family friendly. The company wants staff to be flexible but, in return, is prepared to recognise individual needs. The supermarket chain has introduced maternity leave, study leave, paternity leave, child-care leave, adoption leave, shift-swap and bereavement leave. [HON. MEMBERS: "Which chain is it?"]

Tory Members would have us believe that the company would be headed for bankruptcy as a result of all those changes. However, absence is down, saving the company £3 million. Labour turnover is down by 4 per cent., saving the company £2.4 million. In addition, 95 per cent. of female staff who go on maternity leave are now returning to work in the company's stores. Customer numbers are up by 35 per cent. and the company has 8.9 per cent. growth. That is clear evidence of how these policies work. [HON. MEMBERS: "Is it Asda?"] Tory Members have identified the supermarket chain—it is Asda, where the shadow Chancellor has one of his many directorships. In addition, the deputy chairman of the Conservative party is, I think, now the chairman of Asda.

The secret is that Conservative Members know that these policies work, and are prepared to have them in companies where they are directors. However, they seek to deny the policies to organisations elsewhere. When Tory Members, as they have done in the amendment, seek to make the point that family-friendly policies are a burden and affect the profitability of organisations, they are talking nonsense. They work in practice and give security to the individual who, in return, provides loyalty and commitment to the employer. That works well, and the Bill will ensure that those good practices apply to all organisations and businesses.

Mr. David Chidgey (Eastleigh): The Secretary of State says that good practice is the key. However, is he not a little concerned that the many regulations proposed by the Bill demonstrate that the Government have, so far, failed to convince the rest of the world of the benefits of good practice? Does he not find it rather odd that, a couple of weeks ago in Bristol, the Prime Minister was telling business men that many of the regulations coming from European directives were out of date and should be reviewed, and yet the Bill is proposing extra regulations, over and above the European directives? Is he concerned that the Government have failed to get the message across and have to bring in the measures through regulation?

Mr. Byers: It seems that the Liberal Democrats are opposing the family-friendly measures in the Bill. If that is the case, that is news. I have given up trying to convince Conservative Members of the merits of our proposals, for the simple reason that they will always allow prejudice to dominate over fact. They will always ignore the facts—that is what they do. Any regulations arising from the Bill will be introduced sensitively and there will be full consultation about the detail of the regulations. During that debate, we may be able to convince even some Opposition Members of the merits of the provisions.

Mr. Jon Trickett (Hemsworth): Does my right hon. Friend endorse the findings of the recent Organisation for Economic Co-operation and Development report, declaring that Britain's hire-and-fire labour market had trapped people in low-paid jobs, entrenched insecurity at work and had no beneficial effect on economic performance? Does he agree that the reduction in the qualifying period for protection against unfair dismissal, the right to individual representation and the other measures in the Bill will begin to strike a better balance between employer and employee in the workplace?

Mr. Fabricant: On a point of order, Mr. Deputy Speaker. Is it in order that the hon. Gentleman did not tell us that the OECD went on to say that our flexible labour market contributed to low unemployment?

Mr. Deputy Speaker (Mr. Michael J. Martin): That is a matter for debate. It is nothing to do with the Chair.

Mr. Byers: There are 400,000 more people in work than when we took office in May 1997. We can marry the need for prosperity and profitable companies with giving individual rights in the workplace; that is what the Bill is designed to do.

There are clear examples from organisations of the benefits of family-friendly policies, but those policies also benefit the individual. For example, a mother of two summed up the position well when she said:

> "My company has allowed me time off when my children have been ill. It makes such a difference. If I have a crisis at home, I don't have to worry about my job because my company is so flexible. I have been very fortunate, but it works both ways. I am treated well by my company, so I try to put as much back in as I can."

That is the approach that we favour.

Contrast that with the case of a woman in Nottingham—the sort of woman who would get nothing if Conservative Members' approach was adopted. She was disciplined for taking time off work when one of her children had flu. Her daughter, frightened that her mother would be sacked if she stayed at home to look after her, hid the fact that she had a throat infection. Another woman, from Chesterfield, wanted to reduce her hours when her son was diagnosed with a disability. Her employer refused. Conservative Members think that that is fine, and they will do nothing to protect such parents with their family responsibilities. We reject that approach. We will stand by those parents, and the Bill will ensure that we can do precisely that.

Mr. John Bercow (Buckingham): Will the Secretary of State confirm that the overwhelming evidence shows that, over the past 25 years, the American record of job creation is massively superior to that of the member states of the European Union? Is that not substantially due to the American emphasis on flexible labour markets and deregulation?

Mr. Byers: I agree that the American employment record is commendable, but it is underpinned by minimum standards in the workplace, a national minimum wage, statutory trade union recognition and, indeed, a parental leave directive, which gives effect to family-friendly policies such as those in the Bill. The hon. Gentleman should carefully consider the American experience of implementing policies that are reflected in the Bill.

Lorna Fitzsimons (Rochdale): My right hon. Friend is being very co-operative in giving way to all those who want to intervene. Does he share my incredulity at the Conservative party, which claims to be the party of the family, but which, after 20 years of trade union legislation, has successfully undermined everything that was solid about the family? I welcome the fact that families can now plan and have some stability under the family-friendly aspects of our legislation.

Mr. Byers: I agree. Conservative Members are condemned by the fact that they like to portray themselves as family friendly, when they are in fact prepared to accept the situation in which people risk losing their job if they want to care for a sick child or an ailing relative.

Mr. Graham Brady (Altrincham and Sale, West): Will the Secretary of State give way?

Mr. Byers: Not for the moment, as I want to make some progress.

The Bill will increase maternity leave for all to 18 weeks, giving women a right to 40 weeks, maternity absence after one year of employment—not two years, as at present. We will create a right to three months, unpaid parental leave for all employees with a young child. I am pleased to tell the House that we also plan to extend that right to parents who adopt a child. We will tackle discrimination against part-time workers, and we will give people the right to take time off for domestic emergencies. We believe that these are sensible, practical steps to help parents combine home and work responsibilities.

Mr. Brady: Does the Secretary of State accept that many businesses would feel less worried about the proposals if he were prepared to be more specific about them? He referred to right to time off for domestic emergencies, but will he define what he means by the term "domestic emergencies"? Which people or members of the family does that right cover? He will know that the Irish Government, when legislating on the matter, were specific about which members of the family were covered. Will he give the same information to this House?

Mr. Byers: We intend to consult on the detail, and that consultation will lead to conclusions. Conservative Members would criticise me if I were to describe in detail today how the regulations will apply. We shall consult business, both large and small, about the details of the regulations. In that way, we can ensure that we can work together in partnership to implement our family-friendly policies. We want to create the right environment and climate to guarantee that people can work together, in a spirit of partnership, to achieve the growth and prosperity for which we are aiming.

Mr. Brady *rose—*

Mr. Byers: The hon. Gentleman is stuck in a time warp. He wants to turn the clock back. These measures are forward looking and reflect the need for employment policies that recognise the responsibilities of parents. The Bill will achieve that, as will the regulations.

Mr. Ian Stewart (Eccles): In light of his response to the hon. Member for Altrincham and Sale, West (Mr. Brady), does my right hon. Friend agree with the response to the proposals from the Confederation of British Industry? It stated:

> "The CBI will work closely with relevant bodies to ensure that this proposed legislation delivers balanced and achievable rights and responsibilities for all concerned."

Mr. Byers: I do agree, and it has been noticeable that the CBI has also said that our proposals on collective rights—about which I shall speak in a moment—form a workable package. In addition, the TUC has given the proposals a broad welcome.

The Bill sets out a statutory procedure for union recognition for that small minority of cases in which the employees demonstrate that they want to be recognised, but the employer refuses. It also provides that a union can be derecognised if that is what the majority of workers want.

The Bill makes it unfair to discriminate against employees for campaigning for or against recognition. Employees will continue to have the right to sign individual contracts, but will be protected against pressure from the employer to do so.

At present, the law requires an industrial action ballot to be acted on within four weeks or it will cease to be effective. That provision works against good industrial relations. The Bill will allow an employer and a union to agree to extend the deadline for up to four weeks if, for example, they wish to continue negotiations. That will mean that more disputes are settled by negotiation, without resort to industrial action.

At long last, in 1999, the Bill will ensure that people cannot be blacklisted simply because they belong to a trade union or are prepared to defend and represent the interests of their colleagues at work.

Mr. John Redwood (Wokingham): I am grateful to the Secretary of State for his generosity in giving way yet again. Has he seen the recent industrial output figures, which show a continuing collapse in British manufacturing? Has he seen the tidal wave of redundancies sweeping through the industrial heartlands? Has he seen the consistent advice from all business groups that this measure will make matters worse, not better? Why does he disagree with that advice—but, given that he does, what is he going to do about the manufacturing meltdown over which he now presides?

Mr. Byers: I have two things to say in response to that intervention. First, it was a shame that the right hon. Gentleman did not come with me to British Aerospace in

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north Wales yesterday to celebrate the 2,000th set of wings being put on an airbus. British Aerospace recognises trade unions, involves them in decision making and ensures that they are given the same information as corporate investors. As a result of that partnership, British Aerospace has gone from strength to strength. The share price has gone up 19-fold since 1992, and there have been profits in recent years. That has happened because the company worked in partnership with its trade unions. That is the reality of a manufacturing industry that has been a British success story.

Secondly, the message I receive from manufacturers is that they do not want short-term decisions now, that will create problems later. They offer me the example of what happened under the Conservative Government: in the late 1980s, short-term decisions were taken for politically expedient reasons, but—as the right hon. Gentleman knows—they led in the early 1990s to interest rates at 15 per cent., inflation at 10 per cent. and the loss of more than 1 million manufacturing jobs. We are not going back to those days when there was a real meltdown in the manufacturing sector.

Many manufacturing industries are currently doing well, working in partnership with their trade unions. The right hon. Gentleman may wish to talk down the economy, and we know that that is part of the Conservative party's wider policy, but the people in the country will not accept it.

Mr. Redwood: Will the right hon. Gentleman examine the facts, the figures and the surveys of business opinion? Does he realise that yesterday's industrial output figures were the worst for 18 years? Does he realise that the surveys show that things are not getting any better? Does he know that there will be a great deal of trouble and further redundancies in the textile, steel and engineering industries? Why does he not care about that? Why does he not listen to the good business advice that is telling him to postpone the Bill and to do something to help business?

Mr. Byers: Of course I care about the short-term difficulties faced by certain industries in the United Kingdom. That is one reason why I went to Longbridge yesterday to talk to the management and the work force about the difficulties that they face. The Government will not walk away from our responsibilities, but we believe that no short-term decision should be taken that could lead to worse effects later. We are confident that that is the right approach for manufacturing and for other sectors of industry.

No provision in the Bill will have the sort of damaging effects referred to by the right hon. Gentleman. Many parts of manufacturing industry have adopted the policies in the Bill and are doing well.

Mr. Phil Woolas (Oldham, East and Saddleworth): Will my right hon. Friend give way?

Mr. Byers: I want to make some progress and to wind up as soon as possible.

The third element of the Bill is the establishment of fair, minimum standards for all workers in the UK. The idea that only those in secure, full-time, permanent employment are entitled to employment rights and fair treatment is outdated, short-sighted and bad for business. The Bill will ensure that part-time workers are protected against discrimination, comparable to full-time workers.

The Bill will also ensure it is no longer possible for workers on fixed-term contracts to sign away their right to claim unfair dismissal. Workers will have the right to be accompanied at a disciplinary or grievance hearing by a colleague or by a union official of their choice. That provision will apply to all employers, whatever their size.

The Bill will give us the necessary powers to bring legislation relating to employment agencies—the point raised by my hon. Friend the Member for Burnley (Mr. Pike)—up to date. The rules have not changed for 22 years, despite an enormous rise in the number of people working for agencies. The industry has more than tripled in size since 1992 and it covers more than 1 million people. My Department sees many agency contracts that are simply unacceptable. For example, I have seen one contract that stated:

> "The agency accepts no responsibility for the health, safety and protection from injury to the temporary worker."

That is unacceptable.

Another agency in Sussex advertised for agricultural workers at £3 an hour, but then fined them £20 if they were late and £10 if they failed to hand in their time sheet on time. Workers ended up owing the agency money as a result of those policies—that will not happen under the Bill.

Several hon. Members *rose—*

Mr. Byers: I want to draw my remarks to a close.

We will consult in detail on employment agencies, setting out our proposals in considerable detail. In doing so, we will want to consult all interested parties. As my hon. Friend the Member for Corby (Mr. Hope) has great involvement with employment agencies, I feel that I should give way to him on that point.

Mr. Phil Hope (Corby): In my constituency, people who have worked, say, four days of a five-day contract and have been unable to work on the fifth day have received £1 an hour for the 35 hours that they have worked in the week. That is complete and utter exploitation. Does my right hon. Friend agree that we require legislation and regulations that mean that temporary workers can get the same basic rights to which all workers should be entitled?

Mr. Byers: My hon. Friend makes an important point from personal experience in his constituency. Our provisions and approach to employment agencies will ensure that such exploitation simply will not be able to occur in future.

Mr. Ian Bruce (South Dorset): Will the right hon. Gentleman give way?

Mr. Byers: No. I want to draw my remarks to an end.

The Bill is a package of measures that will create a new culture of partnership in the workplace, which is essential to Britain's future. There will be no turning the clock back; it is a forward-looking approach. No major burden will be placed on business. Rather, it is a balanced package with a clear emphasis on partnership, not confrontation; fairness and trust, not insecurity and maltreatment; and rights coupled with responsibilities.

Literally millions of people will benefit from the Bill: 135,000 mothers each year will benefit from our improved maternity provisions; 1 million people who work through employment agencies will no longer be exploited; 2.2 million people stand to benefit from the right to time off for domestic emergencies; more than 3 million people are potential beneficiaries from our parental leave proposals; and more than 6.5 million part-timers will be protected from discrimination.

Those are the proposals of a Government acting for the many, not the few. The Bill will play a crucial part in building a modern Britain and a decent society. I commend it to the House.

Mr. Deputy Speaker: Before I call the right hon. Member for Wokingham (Mr. Redwood), may I announce that Madam Speaker has ruled that there will be a 15-minute limit on Back-Bench speeches?

4.48 pm

Mr. John Redwood (Wokingham): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Employment Relations Bill because it will jeopardise employment, endanger the successful legacy of good industrial relations left by the last Government, impose further damaging costs on British business and risk industrial strikes and disruption, rather than leaving employers and employees free to settle relationships for themselves without outside interference."

Mr. Geraint Davies (Croydon, Central): Will the right hon. Gentleman give way?

Mr. Redwood: I would be happy to accept the intervention, but, for the benefit of those who missed it, let me repeat that last point. Employers and employees should be left free to settle relationships for themselves without outside interference. That, of course, is our policy.

Mr. Davies: Would the right hon. Gentleman be interested to know that, in Germany, parental leave is three years, strike rates are a sixth of the level of the past 10 years in Britain and productivity levels are 20 per cent. higher? Does he agree that the reason for introducing the measure is that the historically hire-fire attitude of British employers means that they do not invest in human capital and productivity, but—

Mr. Deputy Speaker: Order. It is an intervention, not a speech.

Mr. Redwood: I am all for companies doing the right thing by their employees, whether in Germany or Britain. What I would not want our country to do is to copy all the German laws and regulations, which have led to its having twice the level of unemployment that Britain has. That is exactly our case: we want to maximise employment opportunities for people, not to deny those least able to compete in the marketplace the opportunity of getting work.

Mr. Fabricant: Is my right hon. Friend aware that Joachim Milberg, now the chairman of BMW and previously a director, said that one of the reasons for investing in the United Kingdom was that we did not have the very legislation that was causing so much trouble for companies such as BMW and Mercedes-Benz?

Mr. Redwood: My hon. Friend is right. It has not taken long under a Labour Government for such companies to start to change their view, which underwrites the Opposition's point.

I was touched by the Secretary of State's concern for my political future. His mock concern was delightful, but I remind him that we have so far had three Labour Secretaries of State and only one shadow Secretary of State. I hope that we shall see the end of his secretaryship before I move on. I was interested that he was so worried about people working on part-time or temporary contracts. I thought that he must be describing Department of Trade and Industry Ministers, given how some have behaved in recent months. We trust that there will soon be something in place of strife there, but I do not think that this Bill will be the answer to all their prayers.

The Secretary of State had one principal argument. Unfortunately, it is deeply flawed. He argues that, because British Aerospace and Asda afford high standards to their employees, so can everyone else. All we have to do is legislate and everyone will be as good an employer as my hon. Friend the Member for Tunbridge Wells (Mr. Norman), the chairman of Asda. I do not think that all employers will rise to such standards without some of them shedding jobs and getting into grave financial difficulties.

The Secretary of State's argument is like saying that, because one Labour Member can afford to lend £373,000 to the right hon. Member for Hartlepool (Mr. Mandelson), there should be legislation to make them all lend money to someone they like. Labour Members do not seem to be warming to that argument. It is simply not practical politics to legislate for every company to achieve the standards of the very best. If it only were, we would have done it long ago, and if it had succeeded, it would have been popular. If we force the pace too much and ask people to make commitments that they cannot afford, rather than helping employees, we shall hinder them. Instead of getting better opportunities and standards at work, we shall deny many people jobs at all.

Mr. Nigel Beard (Bexleyheath and Crayford): Does the right hon. Gentleman recognise that in respect of technology and science-based companies—whether involved with chemicals, electronics or pharmaceuticals—north America, Europe and Japan share one prevailing feature: a personnel policy that respects people, gives them security and promotes welfare, rather than giving it grudgingly? If ours is to be a high-technology, high-added value, high-wage country, it is vital that such a climate of employment should prevail. That is what the Bill seeks to achieve.

Mr. Redwood: All hon. Members would like to live in a world where everyone had high-paid jobs, was treated with respect and had all the perquisites and advantages that the few currently enjoy. The issue is how to get there. We contend that, if we legislate for too high a standard too quickly, we shall destroy the jobs of those who do not enjoy those standards while offering nothing to the people who have the good jobs. We cannot immediately clean

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out all the low-paid or bad jobs and replace them with high-tech jobs of the sort that I and the hon. Gentleman would like. In the meantime, we must think carefully about how we effect the transition to minimise the damage to families in such occupations.

Mr. Hope: Will the right hon. Gentleman make clear which parts of the Bill his party would repeal if we ever again had the misfortune to have a Conservative Government?

Mr. Redwood: We could not possibly say what we will repeal before the Government have worked out what the legislation will include. As the Government wish to change things, they are beholden to produce a better set of detailed proposals before we can give the detailed response that the hon. Gentleman would like.

Mr. Ian Bruce: I am grateful to my right hon. Friend for giving way and sorry that the Secretary of State ran out of time before giving way to me, although I appreciate that he gave way many times during his speech. Clause 28, which deals with employment agencies, appears to give the Government the power that they used to want when they were in opposition: to be able to abolish employment agencies in any field they choose and to set conditions. Is that not the most pernicious part of the Bill in terms of attacking the flexibility of the British labour market?

Mr. Redwood: My hon. Friend is right to say that the clause will be extremely damaging if it is passed in its current form and construed in that way by the courts. I hope that my hon. Friend will speak on that subject, either today, if he catches your eye, Mr. Deputy Speaker, or as a member of the Standing Committee, if he is invited and prepared to serve on that important Committee.

I am delighted that the Secretary of State chose Asda as one of his two prime examples of companies offering good practice. Our case is that the way to achieve better employment standards is through the promotion and encouragement of successful businesses, rather than by means of blanket legislation, which industrial advice urges us not to pass at this juncture. The Government promise fairness at work, yet they deliver industrial collapse. Yesterday, we saw the worst output figures in manufacturing in 18 years—Labour Members try to look shocked at that news, but it is true. I do not know whether they read the newspapers or visit their constituencies: the factory closures and redundancies occur more often in Labour constituencies than in Conservative ones, because Labour Members still represent the industrial heartlands of this country.

Day by day, we see job loss after job loss, factory closure after factory closure; we see Rover in crisis, the north-east in meltdown, and the textile industry suffering from retrenchment. We believe that having a job is more important than giving new rights to trade unions. All the Government do, as they watch manufacturing retreat, is make it dearer and dearer to make things in Britain.

Mr. Richard Burden (Birmingham, Northfield): The right hon. Gentleman has mentioned Rover, so will he take this opportunity to compliment the partnership at work there, especially the partnership displayed in Germany and the role played by the head of the works council at Rover—a trade unionist—in helping to ensure not only ground-breaking agreements on working practices, but the preservation of jobs here in the United Kingdom? Is that not an example of partnership at work and the sort of thing that the Opposition simply do not understand?

Mr. Deputy Speaker: Order. It is obvious that there will be more interventions, but they must be interventions and not short speeches.

Mr. Redwood: Thank you, Mr. Deputy Speaker.

I welcome any successful partnership. What the hon. Member for Birmingham, Northfield (Mr. Burden) describes is a fine testimony to the success of the labour relations legislation introduced by the Conservative Government. By developing such legislation during our period in office, we created industrial harmony in this country after years of strife during the 1970s. We urge the House not to disrupt that settlement or jeopardise such voluntary partnerships with the sort of intervention that the Bill would allow.

British Steel recently warned:

> "The rate of job losses will accelerate given the extremely difficult trading situation. . . . it is imperative that the Government should do nothing to add to our costs and to undermine our competitiveness."

That is exactly the point. A company selling expensive items, such as aeroplanes, in a market without much competition will find it far easier to generate the cash needed to make such payments to its work force than a company operating in a cut-throat business such as basic steel production. I ask the Secretary of State to accept not my urgings, but those of the leadership of British Steel, who are telling the Government not to legislate for higher costs at this juncture, because the company is fighting for survival in a highly competitive market.

Mr. Bill Michie (Sheffield, Heeley): Will the right hon. Gentleman quote the figure for job losses at British Steel under the Conservative Government, compared with the likely outcome now? I am worried about what is likely to happen now. I ask my question with feeling, because I was one of the 14,000-plus people in my area who were made redundant during the 1980s—thanks to the previous Tory Government. What is the difference between the figures and why has he suddenly become concerned?

Mr. Redwood: I cannot tell the hon. Gentleman what the difference will be, because we do not yet know how many jobs will be lost at British Steel. We know that the management have already had to shed a lot of labour and that they are saying that they will have to shed a lot more. I shall not defend the loss of jobs during the 1980s: it was a tragedy then and it would be a tragedy today. However, the fact that jobs were lost during the 1980s does not make it right for the Labour party to enter office and say, "Good news—a lot more jobs will be lost. We have forgotten all the rhetoric we used in opposition, when we were angry about the jobs being lost under the Conservative Administration."

Mr. Michie: The right hon. Gentleman is talking the industry down.

Mr. Redwood: The hon. Gentleman dares to say that I am trying to talk down industry. The British steel industry is a great and world-beating industry, but it needs a break from the Government, who have made it very difficult to make things in Britain successfully and sell them at a profit.

Mr. Woolas: In the light of what the right hon. Gentleman has just said, will he say sorry for what happened in the 1980s?

Mr. Redwood: We have already done that in a previous debate. I want to move on to look at today's problems.

Mr. Byers: Will the right hon. Gentleman confirm that, as a member of the Government at the time, he did not disagree with the then Chancellor, who said that such high levels of unemployment were a price worth paying? Will he reflect on the costs that will be incurred as a result of the Bill? Will he confirm that the increase in the total wage bill as a result of these measures will amount to 0.01 per cent? I understand the difficulties that British Steel may be facing, but an increase of 0.01 per cent. of the total wage bill will not make the difference that the right hon. Gentleman seems to envisage.

Mr. Redwood: The Secretary of State finally produced a compliance cost assessment—a report on costs—on Friday, giving us little time to study it. I believe that it came up with total costs of £59.7 million, which would be a small proportion of the wage bill. I assume that he has just calculated that as a percentage. Industry and the Opposition do not believe those figures for one moment. The Confederation of British Industry has costed just one item in the Bill at £200 million, and regards other items as likely to be much more costly than the forecast in the Secretary of State's favour.

Mr. Byers: Which item?

Mr. Redwood: The Secretary of State does not know which item. It is of course the costing for parental leave, which the CBI has already disputed and thinks is out by a very big margin. Every independent expert to whom I have put this in the two days following receipt of the Secretary of State's paper has told me the same thing: the numbers are a gross underestimate, and in sectors where margins have already been cut to the bone or where companies are in loss, the measure could be the straw that breaks the camel's back.

Mr. Christopher Leslie (Shipley): If the parental leave elements are too expensive, as the right hon. Gentleman has said, will he pledge to scrap them if he were ever to get back into government?

Mr. Redwood: If the hon. Gentleman came to debates more regularly, he would know that the Opposition will set out in their manifesto which items they will repeal. We are expecting so many more bad bits of legislation that we are not going to draw up a shopping list yet. For the time being, we are opposing this measure because we believe that it is ill-conceived, and could damage the interests of those who want industry to succeed and jobs to be protected.

Mr. Byers: The right hon. Gentleman says that the Opposition will not draw up a shopping list until they have produced a manifesto, but they have already said on the record that they will abolish the working families tax credit, that they will scrap the new deal for the young and long-term unemployed, that they will repeal the working time directive and that they will not accept the social chapter. Is he not prepared to say yes or no to this measure because he is not prepared to come clean with the House and the British people? Is it because he is aware that the measures are popular and he will not accept the responsibility of being in opposition?

Mr. Redwood: I fully accept the responsibility of being in opposition. I am opposing this measure and, with my colleagues, I have opposed all the other measures that the Secretary of State has mentioned. I and all my colleagues have said exactly the same throughout, as a responsible Opposition planning for government must. We will let the public know exactly what we think we can repeal in the next Parliament nearer the time, when we produce our manifesto. I am sure that, on reflection, the Secretary of State would agree that that is a perfectly sensible approach. We are not prevaricating; we have told the House and the public what we do not like, and have opposed those measures vigorously. In response to those that we accept, we have either allowed them to go through or allowed ourselves a little faint praise of them.

Mr. Bercow: Does my right hon. Friend agree that it is a display of the most frightening ignorance by the Secretary of State that he apparently believes that one member state, of its own volition, can repeal the working time directive? What an absurdity!

Mr. Redwood: My hon. Friend makes a powerful point. I was afraid to point out the Secretary of State's embarrassment on that issue. When we debated the working time regulations, the Opposition made it clear that we had to meet our legal requirements from Brussels, but that we had a better way of implementing the measures which would have been less burdensome on British business.

Mr. Geraint Davies: Will the right hon. Gentleman give way?

Mr. Redwood: Yes, once again I will give way.

Mr. Davies: For the sake of clarification, will the right hon. Gentleman confirm that the Opposition will vigorously oppose the parental leave provisions in the Bill, but that they may, in the light of experience, come to accept them as a good idea? Is that his position?

Mr. Redwood: I suggest that the hon. Gentleman listen to my speech, with which I should now like to make progress. I was explaining why we oppose the Bill, and as it develops in Committee—if we are lucky enough to be told in Committee what is planned—my hon. Friends will make clear our position on all the detailed measures.

The Government have put industry into a vice and tightened the jaws until it starts to break. They have pushed up sterling, making our goods dearer abroad and imports cheaper. They have done so to such an extent that even Marks and Spencer, famed for buying British

[Mr. Redwood]

products, has now been forced to buy more from overseas sources. That means that many more textile factories will close in the months ahead.

The Government and the Bank of England pushed up interest rates, making it dearer to borrow money to expand and develop a business. We warned them that those interest rate rises were undesirable and would do damage. Even after the recent cuts in interest rates, our rates remain higher than those of our continental competitors. It is no good the Government saying that rates are low compared to those in the past. What matters is how our rates compare with those of our rivals in the present. Rates are low around the world; our rates are high relative to those of other countries.

The Government have pushed up the costs of employing people. The working time regulations, the minimum wage and the Bill all make it dearer and more difficult to employ people. That means that fewer people will be employed than if the Government had left well alone. They are burying British industry under an avalanche of forms and good intentions. They are forcing many an entrepreneur to conclude that it is too difficult to employ an extra person or anyone at all. Their policies sound the death knell of smaller manufacturing businesses that have been squeezed too far, too fast by the Government.

The Opposition want people to have good jobs which provide decent conditions of employment and pay good money. No sensible politician wants people to be poorly paid or badly treated. The Opposition have always accepted that some standards should be laid down in law, but those should be minimum standards providing basic protection. The best protection and opportunity that one can have is working for a decent employer. The best way of being able to work for a good employer is to have plenty of choice and freedom in the marketplace. Freedom, competition and policies that generate prosperity are the ways to higher standards. Too much law, too much regulation and too much Government interference are the best ways yet devised of sending business abroad and destroying jobs at home.

Recently, Sony announced that it was transferring work from Germany to south Wales. That was good news for south Wales. I just hope that the Government read Sony's statement carefully and understood its impact. Sony is coming to Wales because it finds Germany's labour laws too restrictive and expensive. It would be a cruel irony if, having arrived, it found that the UK was about to match all those German laws and was worried about the cost.

Mr. Martin O'Neill (Ochil): Is the right hon. Gentleman suggesting that an international corporation such as Sony would make an important investment decision of a politically controversial nature without considering what the climate in the United Kingdom was likely to be? If Sony did consider that, surely its action is an endorsement of the policies of my right hon. Friend the Secretary of State.

Mr. Redwood: No, that is not at all true. Of course a company has to consider the facts and figures on offer, but our worry is that the Government will continue to tighten the vice until more good companies decide that somewhere else is better than the United Kingdom.

Have the Government finally understood how expensive and damaging to British business some European legislation will be? Do they now regret giving up the veto that entitled us to have lower unemployment than countries on the continent?

Lorna Fitzsimons: Is my right hon. Friend—*[Interruption.]* I nearly got into hot water then. Is the right hon. Gentleman saying that the current exploitation, misery and blight on family life are a price worth paying?

Mr. Redwood: I am saying the opposite. I am saying that I do not like the situation any more than the hon. Lady or her party—but we are debating how to get rid of it, and to ensure that, during the transitional period, jobs are not lost and then replaced with nothing. That would not help the people who have the jobs that the hon. Lady and I would rather not have to do ourselves.

Mr. Dale Campbell-Savours (Workington): Let us suppose that someone who works for a bad employer says to that employer, "Please do something about my working conditions. I cannot stand them." If the employer says, "I am not interested. I will do nothing about it," what should that worker do? Should he just accept the situation?

Mr. Redwood: If there is choice in the marketplace, the best answer is for him to go and work for a better employer. That is what we would like to happen.

Mr. Campbell-Savours: It is a dream world.

Mr. Redwood: No, it is not. *[Interruption.]* If the hon. Gentleman will restrain himself, I shall answer his point, and then take a second intervention from him. My generosity in that regard is well known.

The hon. Gentleman should recognise that putting a stronger law into the hands of the employee does not always protect him against the really bad employer. That is the problem. The employee must still have recourse to unions, lawyers and the rest. He may not win; he may be victimised. He may end up in deeper trouble because he has tried to use the very protections that have been enshrined in legislation. That is one of my worries.

Mr. Campbell-Savours: What if the employer is still not prepared to take any action, and there is no choice in the marketplace—no other work in the area? In my constituency, unemployment is running at 8 per cent. What does the employee do if he cannot change his employment?

Mr. Redwood: Like the hon. Gentleman, I have considerable sympathy for the employee, but I do not think that the Bill would necessarily help him. If he really has such a bad employer, and there is no choice in the area—*[Interruption.]*

Mr. Deputy Speaker: Order. If the hon. Member for Workington (Mr. Campbell-Savours) wants a reply from the right hon. Member for Wokingham (Mr. Redwood), he must hear that reply.

Mr. Redwood: Thank you for protecting my right of reply, Mr. Deputy Speaker.

My fear is that, even with this legislation, the employee of the bad employer would not be able to win in the circumstances described by the hon. Member for Workington (Mr. Campbell-Savours). I do not have an answer to all those problems; nor does the hon. Gentleman. I am trying to demonstrate that the Bill will not banish all bad employers—if only it would. That is a promise that the Secretary of State would not dare to make at the Dispatch Box. He is not going to stand up and say that his Bill will banish all bad employers, because he knows that he cannot make such a claim. That is exactly our case: the law is a clumsy instrument, and not an easy instrument for those with little money who are being exploited by bad employers.

Mr. Ian Stewart: You do not understand.

Mr. Redwood: How dare Labour Members say that I do not understand. I understand the plight of such people perfectly well, and I care about it every bit as much as Labour Members. It is about time that they recognised that.

Mr. Stewart: Has the right hon. Gentleman ever stood in front of an employer and asked for time off to deal with an important family problem, and then been told "No"? Does he understand the alienation and helplessness experienced by an employee in that position? Has he ever understood it?

Mr. Redwood: I quite understand how such things can happen—and yes, on occasions in the past I have wanted time off and an employer has been less than keen to grant it. Let me ask the hon. Gentleman to consider the plight of the middle manager. Money is not a huge problem for him, as he has a reasonable salary. He would like a bit of time off to help with the baby; but his employer lets it be known, unofficially and subtly, that if he takes time off, his chances of promotion and a decent salary increase will be wrecked. Nothing can be proved. The employee would be very unwise to go to law, because that would wreck his relationship with his senior manager.

What kind of right is the hon. Gentleman offering that middle manager when he says that he can take unpaid parental leave at such a crucial time? He has no real choice. All that the Bill will do is tear him apart: his wife will be saying, "Please come home and help me," while his employer, in subtle, legally protected language, will be saying, "Just you dare." What does the middle manager do? He undergoes a great deal of mental strife in working out whether he should be loyal to his employer and his job, or loyal to his wife.

Mr. David Watts (St. Helens, North): Is not the right hon. Gentleman advocating the case for employees to be allowed to join a trade union? The answer to his question is that a middle manager who had that problem could take the matter up with his trade union and be represented properly.

Mr. Redwood: I am all for people belonging to trade unions if they wish, but I am not in favour of forcing them to become members, or making them use the trade union to represent them when they wish to represent themselves. Some people prefer to negotiate for themselves, and some people make a good job of negotiating for themselves.

The case of Rover has been mentioned in the debate. Unfortunately, the measures in the Bill will make the position worse. Three or four years ago, BMW thought Rover a good investment and Britain the best place to make cars in the whole of Europe. Now it is all red ink, and BMW is thinking of pulling out or winding down its operations. It is finding that it is not easy now to compete from a British base. BMW finds that the present combination of exchange rates, interest rates and industrial costs prices it out of the market and plummets it into losses.

As a result of the Government's policy, we do not know whether there will be a Rover 35 to replace the 200 and 400 and, if so, whether it will be built in Britain. The Secretary of State will have to agree that nothing in the Bill will make it easier to persuade BMW-Rover to stay in Britain and expand.

Mr. Burden *rose—*

Mr. Redwood: There is nothing in the Bill that BMW is asking for as it bargains over the future of Longbridge and all those British jobs. The Government take pleasure—

Mr. Deputy Speaker: Order. It is clear that the right hon. Gentleman is not going to give way, so the hon. Member for Birmingham, Northfield (Mr. Burden) should not be standing.

Mr. Redwood: The Government take pleasure in first blaming the management when they meet the employees, t[illegible]aming the workers when they meet the management. It never seems to occur to them that they must take some of the blame.

Mr. Burden: I am grateful to the right hon. Gentleman. What is there in the Bill that would increase costs for BMW? What conditions does the Bill impose on BMW that do not already exist in agreements with Rover Group?

Mr. Redwood: Parental leave.

Ms Harriet Harman (Camberwell and Peckham): A few moments ago, the right hon. Gentleman appeared to be arguing against any rights for employees at work, on the basis that they were bad for employees. I presume that he is in favour of the right of a woman to have time off when her child is born. Is he not in favour of the right of the father to have time off when the child is born? Increasingly, fathers want to recognise their parental responsibility, and the Bill gives them, for the first time, a right in law to time off. Is the right hon. Gentleman against fathers having a right in law to time off when their new baby is born?

Mr. Redwood: The right hon. Lady obviously did not listen to my remarks. I said that the Opposition accept basic standards at work in legislation. We left many of those standards in place when we were removed from office. I would be delighted if rights such as she describes could be negotiated. My worry is that, if we legislate too far, too fast, we will create more stresses for people in the workplace and give a real right only to those with money,

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who have the freedom that money can buy, rather than to those who genuinely need the salary and the job, which are at risk in the negotiation.

Mr. Brady: Labour Members have suggested several worthy cases in which employees might seek time off for domestic incidents. One of the main concerns is the gold-plating of the directive in the Bill. As it is presently drafted, it is not clear whether an employee could seek time off because his cat was poorly or because the washing machine was leaking. That is not in the Bill. How are businesses to know what costs they will face?

Mr. Redwood: Echoing my hon. Friend, the CBI is extremely worried about the phrase "domestic incidents". What does that mean? It is rather different from a family emergency, and it is in the Bill. That is exactly the sort of issue that will have to be probed in Committee before we can say whether it is a good idea or a reasonable idea. The vagueness of the provisions is alerting industry to the potential damage that they can do. That naturally makes us reluctant to give a clear answer on the detail, as the Government themselves are so befuddled about the detail.

Mr. John Townend (East Yorkshire): We hear a lot from the Government about the rights of employees. Small and medium-sized businesses will have the greatest difficulty. How is a firm expected to operate if its one representative wants to go off on a three-month trek with his six-year-old child? Is the firm expected to make no sales for three months?

Mr. Redwood: A lot of businesses have written to or e-mailed me on that very point, and I am grateful to my hon. Friend for introducing it at this juncture.

What is there in the Bill to reassure the cashmere workers of Scotland, who face the sack thanks to the Government's mishandling of trade relations with the United States through their friends in Brussels?

Mr. Byers: I am grateful to the right hon. Gentleman for giving way yet again. He made some comments about the position at Longbridge and Rover which need to be clarified. I am very concerned that BMW, on reading his comments, will look critically at the position at Longbridge, and I am sure that that was not his intention. The Government are doing all they can to secure employment at Longbridge. We are making the strongest possible representations to BMW to secure that.

There is nothing in the Bill that weakens the Longbridge case and I hope that, on reflection, the right hon. Gentleman will withdraw those comments, which will be misinterpreted, which will put 14,000 jobs at Longbridge at risk and which run the risk of creating the meltdown in manufacturing in the west midlands about which he pleads such concern.

Mr. Redwood: I will accept that as an offer from the Secretary of State that he will ensure that the Bill is amended so that nothing in it causes extra costs to BMW and Longbridge. On that basis, I happily consent to say that the Bill must not cause any damage, and I accept his word that he will make sure that it will not. If he checks my remarks in *Hansard* tomorrow, he will see that my main worries about the current trading position of BMW-Rover are based on exchange rates, interest rates and general costs imposed by the Government.

I urge the Secretary of State to look again at those issues. If he could offer more hope on them to BMW-Rover, that would greatly strengthen the case that he and I both want to put to the management because we want that car production in this country—we want that commitment—and we respect what the management and the work force have been doing in Britain. However, I hope that he will not ignore the plight of the cashmere workers, which I shall go on to discuss.

It takes a special kind of talent to end up with jobs in the cashmere industry at risk because of a dispute about bananas. Why have the Government not made Brussels see sense on that? How have they got themselves into such a damaging row with friends and trading partners across the Atlantic, who are so important to many jobs here at home? How much fairness at work will there be for workers in that industry if they lose their jobs as a result of that trade dispute?

Perhaps the new Secretary of State believes, along with the right hon. Member for Hartlepool, that basic industry is doomed. They clearly believe that old industry has no place in new Labour's Britain. They want us all toiling by the internet and pager, rather than in the foundry and on the assembly line. They seem to think that the media business is the highest calling and politics the second highest. They advise the aspiring to become apprentice spin doctors, and they counsel against the mills and foundries. They cannot even create fairness at work in the new industries.

Mr. O'Neill: There are about 500 cashmere workers in my constituency, who spin the yarn at Todd and Duncan in Kinross. The work force are predominantly female. The workers have trade union rights and a number of the measures enshrined in the Bill apply, and they certainly do not want the choice of abuse of Brussels or decent working conditions. They want a decent settlement and good working conditions, and they do not want the Opposition dividing the Government on their intention to achieve both.

Mr. Redwood: I trust that the hon. Gentleman agrees that the Secretary of State should get on and solve that trade dispute before it spirals out of control. The Secretary of State must know that a lot of jobs are at risk in that industry because of the retaliatory action taken by the United States of America in response to the attitude of the Government and the Brussels government towards these trading matters.

I am not expressing a view on that dispute; I am saying that it should not have got out of control in this way. It reflects badly on the Government's influence in Brussels, and on the diplomacy of the Government and the European government, that those jobs in Scotland, which should not be at risk and are totally unrelated to the issue of bananas, are at risk.

We are threatened in the case—*[Interruption.]* Labour Members should not laugh about that matter. The possible job losses are serious and, for those in the banana trade, the issue of bananas is serious as well.

The Government are now threatening to damage electronic commerce. Having decided to highlight the industry's success, they cannot resist the urge to meddle.

They are consulting businesses to see what they should put in their legislation. It is another Labour example of a Bill in search of a policy. The Secretary of State is a trumpet player in search of some sheet music to play. It never occurs to him that electronic commerce may be growing so quickly because Governments have not yet logged on hundreds of new regulations for that industry.

Have the Government appointed either the digital envoy or the e-envoy that we were promised by the Secretary of State's predecessor? What mischief do they have in mind, or will the Secretary of State cancel two jobs that I should like to see cancelled? I would congratulate him if he were to announce that the digital envoy and the e-envoy are no more.

At least the new Secretary of State has been forced to remove the words "fairness at work" from his legislation. He would have broken trade description law if he had been allowed to retain that phrase. How much fairness is there in the proposal that a father should be allowed unpaid paternity leave? I dare say that a Labour millionaire with an offshore trust would welcome that measure, but if a father is struggling to pay a mortgage on £300 or £400 a week and faces the many bills that a new baby undoubtedly brings, the last thing he can afford is a period of unpaid leave. How can he buy the pushchair and the other items that are needed when the baby arrives?

Mr. Bill Etherington (Sunderland, North): Is the right hon. Gentleman suggesting that it should be paid leave? Would that not be a burden on industry?

Mr. Redwood: That is a conundrum for the Government. I am sure that providing paid leave would be a popular measure among Labour Members. The Opposition have no such proposals, but if the hon. Gentleman thinks that it can be afforded, I am sure many fathers would be eternally grateful. Have the Government thought about the extra pressure that this measure will place on better-paid managers, as I described in answer to an earlier intervention?

The worst part of the legislation is the section on trade union recognition. The Opposition and business groups have fought against the proposals. We pointed out that a minority could hold a ballot that attracted a minority of the votes and then insist on recognition for all. Together with the Confederation of British Industry, the Institute of Directors and other business groups, we have forced the Government at least to make the concession that 40 per cent. of the work force will be required to vote for such a proposal.

Meanwhile, Labour's policies are already promoting strikes. On Sunday night, another 48-hour tube strike begins. That is a sign of things to come under this legislation. We still want to know why it does not require a majority of the work force to seek recognition of a union.

Mr. John Healey (Wentworth): What view does the right hon. Gentleman take of the survey produced by the Institute of Management last autumn, which showed that 54 per cent. of British managers agreed that, if a majority of employees wanted union recognition, that should be allowed and the employer should be obliged by law to negotiate with the union? Before the right hon. Gentleman dismisses that survey, does he agree that his party would kill for that level of support?

Mr. Redwood: The business community strongly supports the line that we are taking on this legislation, as my hon. Friends and I will show in this debate. I have been passed a report of an interesting survey, which shows that 89 per cent. of all employers surveyed believe that this new law will lead to abuse of rights and difficulties for their firms. That is a convincing poll.

We strongly object to the idea that a minority can insist on the majority of the work force, regardless of their views, being represented by a union. We are worried that that will send us back to the bad old days and the bad old ways of the '60s and '70s. This is a '60s and '70s sort of Government. The Prime Minister and his cronies seem to think that rock groups, Carnaby street and flower power are new and cool. They look like a bunch of middle-aged trendies trying to ignore their receding hairlines and bulging waistlines, forcing the whole country into their nostalgia for lost moments, misspent youths or youths that were not misspent enough. That is exactly what their trade union reforms look like. They want to go back to the mistakes of the '70s rather than forward to a freer and more flexible world of the next century.

The Prime Minister and the Secretary of State may wish to defy the logic chips of the electronic age. They may want to stand Canute-like against the tides of global capital and new technology, defying the elements, but they must learn that modern business is all about individual contracts, freedom of expression and flexible working practices. It is far too fast moving and diverse to be captured in legislation with one size to fit all.

The Government say that they want partnership in the workplace, yet they are legislating to set employees and employers against each other. Only the lawyers will win. Time off for a family emergency is a good idea, and most employers offer it already. Once it is enshrined in law, however, we shall have to ask what is a family emergency or a domestic incident. No reasonable employer will quibble over time off when a loved one dies or a child is seriously ill, but is a blocked drain or a broken window a domestic incident, and what if England are playing at home that day? Will an employer then have to sue if an employee digs in for his rights? Is that the way to promote partnership and harmony in the workplace? Surely it is better to leave the law out of it, and to hope that common sense and good negotiations between employers and employees will win through, as they do in so many companies and, as the Secretary of State has conceded, as they do in companies led by Conservative Members.

It is especially rich of the Government to preach about fairness at work when they live under the shadow of Maxwell. How much fairness at work was there for Maxwell's less well-paid employees? How much fairness was there for the Mirror Group workers whose pension funds were pillaged? When will the Secretary of State finish the investigation, publish the report and do something about it? Is he the cover-up kid or will he tell us how he will judge the unfairness at work perpetrated by the Maxwell companies?

Mrs. Maria Fyfe (Glasgow, Maryhill): What does the right hon. Gentleman have to say about the case of

[Mrs. Maria Fyfe]

LSG Skychefs? After a one-day strike by the work force, the management have locked them out and sacked them, and refuse to go to ACAS, although the union acted totally within the existing Conservative legislation. What does the right hon. Gentleman have to say about the gross unfairness to those employees?

Mr. Redwood: I would need to hear both sides of the case and I should be happy to do so if the hon. Lady thought that I could help her with her problem. Of course I would want to reach a fair and sensible judgment based on hearing both sides of the case. I know from my experience of industrial relations that it is necessary to hear both sides before reaching a judgment.

Mr. Michael Clapham (Barnsley, West and Penistone): I am grateful to the right hon. Gentleman for giving way, particularly in relation to pension schemes. Given what he has just said about Maxwell, will he apologise for the fact that the Tory Administration raided the Bus Employees Superannuation Trust?

Mr. Redwood: I want answers on the Maxwell issues, which relate to the present Government and to Ministers. The hon. Gentleman is doing a very bad cover-up job when he tries to protect—

Mr. Deputy Speaker: Order. I hope that the right hon. Gentleman is not using this opportunity to debate a different matter. We are discussing the Second Reading of a Bill.

Mr. Redwood: I thought that we were debating fairness at work, Mr. Deputy Speaker, but I accept your judgment that I was beginning to stray off the exact subject of the Bill.

About 95 per cent. of British businesses are relatively small and the Government are damaging them day by day, week by week and month by month. They are burying them under European red tape, new Labour red tape and old Labour red tape. They want to be seen as business friendly, but they do not understand business at all.

I hope that the Secretary of State will listen to the voices of business, even if he does not listen to the Opposition. The British Chambers of Commerce says:

> "We fear it is becoming prohibitively expensive and . . . difficult for smaller firms to employ more staff."

The Federation of Small Businesses tells us:

> "It is too costly and too risky to employ staff".

The Forum of Private Business says that the measures will

> "be disastrous for the nation's 98 per cent. of small firms".

The Engineering Employers Federation says that the legislation

> "may make industrial action more common".

The Chemical Industries Association says:

> "This is not a Bill which is welcomed by the industry".

Individual companies have even worse fears. One employer wrote:

> "I will be reluctant to employ female secretaries who will require maternity leave . . . short term contracts will be the norm".

Another says:

> "I also worry that creeping unionisation will return us to the miserable era of industrial strife".

A third company e-mailed us to say:

> "It is no coincidence that France finds it difficult to attract new businesses from abroad because of her ludicrous employment costs. The Government is in danger of removing our competitive advantage."

A fourth tells us:

> "Our accounts department has spent nearly a full week with seven people analysing the Working Time Directive information. More time, more costs"

will result from the legislation.

The Government have been misleading us by saying that the proposals will cost only £59.7 million a year and that no jobs will be at risk. They should listen to the voices of British industry and British business before it is too late. They are presiding over an industrial collapse. The legislation certainly will not help and may hinder. I urge the Government to think again before many more factories close and many more of their constituents are made redundant.

5.35 pm

Mr. Martin O'Neill (Ochil): I support the Bill. Today—for the first time in almost 20 years as an hon. Member—I am able to say that I support a Government's employment legislation. The previous Conservative Government introduced and passed a succession of Bills and measures that have done great harm to British industrial relations and contributed to the continual and persistent erosion of workers' rights.

I should first pay credit to my hon. Friend the Member for Makerfield (Mr. McCartney), the Minister of State, Department of Trade and Industry—which I do without any disrespect to the Secretary of State—who has lived for many months with the issue of employment relations. We should pay tribute to his Herculean efforts in securing a genuine consensus for the Bill. I realise that there are fringe organisations—such as the Institute of Directors and the official Opposition—that would like to halt the Bill's progress. Nevertheless, on a raft of issues, we can see in the United Kingdom the emergence of a genuine social partnership.

Longer maternity leave will be introduced in what has come to be known as the "family-friendly" sphere. One of the ironies in the debate is that the "new" Conservative party does not support improved maternity leave—such as was introduced, in 1953, by a Conservative Government, who were building on the foundations of the Attlee Government's first provisions.

The official Opposition—that mean-minded lot—cannot appreciate why there is a case for improving women workers' rights. They say that improving those rights either would cost too much or is being proposed at the wrong time. Exactly the same arguments were advanced 25 years ago, when Barbara Castle piloted through equal pay legislation. We were told that that legislation could not be afforded and would cause the end of western civilisation as we know it. It is now part of the system.

Mr. Ian Stewart: Will my hon. Friend give way?

Mr. O'Neill: No; my speech must be very brief. I have only 12 minutes to speak, and should deal also with other subjects.

There is certainly a case for longer maternity leave and for wider entitlement to it. There is a case also for parental leave. At a time of stress in a family, when a father or mother has to leave work to look after a child, the last thing that he or she wants is a confrontation with an employer. Preventing the need for such confrontation is precisely why we have to enshrine provisions in a legislative framework.

We should certainly extend the provisions to cover part-time workers. In dealing with family stresses, because of the changing employment patterns in our labour market, part-time workers are increasingly the most vulnerable. It is right that we should recognise those changes and deal with them, as that would end much of the heat and anxiety felt by that section of the labour force—who, we have to admit, are predominantly female—who are most affected by the changes.

Quite understandably, when Labour Members are talking about employment rights, they tend to mean trade unions. Significantly, the Bill recognises that many workers in our labour market are not currently in trade unions and may long be outwith the scope of unions. It is therefore essential that those who are vulnerable should have the right to be accompanied by a nominated person in hearings. The provision will give those individuals confidence and much-needed assistance.

Raising the compensation limit is another of the Bill's important provisions. The Select Committee on Trade and Industry held hearings on fairness at work, in which it became quite clear from the most authoritative source—the employment law Bar—that, in about 80 per cent. of cases, the sums involved did not exceed £50,000, which is the sum envisaged by the Government. I am not unduly concerned about that sum. If City fat-cats can negotiate higher severance payments, it will be up to them to do so. For disadvantaged people and those on low wages, £50,000 is probably more than two years' pay. That provision and the index linking are very sound and will benefit everyone.

For many Labour Members, the significance of trade union membership—

Mr. Townend: I do not know whether the hon. Gentleman has any experience of business, but I have a lot of experience of running small businesses. Does he accept that many small firms are on a knife edge and could be put out of business if they were faced with an award of £50,000? That would cause others to lose their jobs.

Mr. O'Neill: That could happen. That is why it would be sensible to give due thought to the consequences before dismissing someone unfairly. The possibility of a fine of £50,000 should make any sensible employer stop and reflect. The measure will not just compensate workers; it will deter employers from irresponsible and unfair behaviour.

If work forces are to have the protection of trade unions, proper recognition procedures are essential. I welcome the automatic 50 per cent. rule—route 1. That is a major step forward, which will become one of the most important parts of the Bill. I have some misgivings about the requirement for 40 per cent. of the total work force to support recognition in a ballot. However, a ballot can be triggered if 10 per cent. of a work force are union members. That may well give the work force and the unions the opportunity to organise themselves and secure a level of membership that is sufficient to provide a credible negotiated arrangement.

We shall have to wait and see what the full role of the Central Arbitration Committee will be. The Government have said that they will review how it works. That pragmatic approach to some of the concerns that have been expressed on that aspect of recognition and the role of the CAC is welcome.

I am not sure that I am quite as enthusiastic about the review of operations on the exclusion of firms with fewer than 21 employees. I have been associated with the print industry unions since I came to the House in 1979. Up to 90 per cent. of workers in the print industry work for small employers. I should hate to think that a system of industrial relations would be destroyed as a consequence of a decision of a Labour Government. I am cautious in welcoming what should not be required. If there is to be a limit of 21, due attention will have to be given to special circumstances.

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): I thank my hon. Friend for his opening remarks. I should like to put his mind at rest. The recognition agreement covering small companies in the print industry is negotiated on a national basis, not by individual companies. I recently attended a conference in Solihull of print industry employers with joint sponsorship by the trade unions which considered how to move forward in improving partnership in the industry, based on the Government's proposals for fairness at work.

Mr. O'Neill: I hear what my hon. Friend says and I am aware of those issues. However, there are still misgivings and concerns in the print industry that not all the employers will sign up to such agreements. We shall have to see. I take some comfort—but not a great deal—from my hon. Friend's assurance that the issue will be subject to a review.

Non-unionised work places are less safe, less happy and more dangerous than unionised workplaces. We want to ensure that a positive case for trade unionism is put across. The proposals in the Bill represent a major shift to restore the balance between employers and employees. It provides the first opportunity in nearly a generation to end the sullen resentment and fear that scarred industrial relations in the Tory years. In this settlement, the trade union movement has not got everything that it wants, and the CBI's welcome is cautious—so Ministers must have got it about right. They have not made everybody unhappy, but, as my right hon. Friend the Secretary of State has made clear, this will not be the first in a series of Bills—it is a genuine once-and-for-all attempt.

The courageous and bold nature of the move indicates what the Government believe to be necessary and that they are being up-front and frank. They have made it clear that there will not be another slice of salami every two years, and that there will not be periods of industrial uncertainty and difficulty as we had under the Tory Government, who brought out different legislation every two years.

Mr. Tim Boswell (Daventry): I am grateful to the Chairman of the Trade and Industry Committee for giving

[Mr. Tim Boswell]

way. Will he concede that, although Ministers' assurances about no new legislation may be true, the follow-up in terms of regulations and the clarification of the all-important details will take a good deal of time, and may well occupy our attention right through the Parliament?

Mr. O'Neill: It is essential that measures on a complex issue such as industrial relations are put in a regulatory form. That enables the House to look at the matter issue by issue, and it can provide a proper degree of consensus. Such an approach can enable the House to change the proposals—or enable the Government to table amendments—if it is clear that it is not right.

The House will have an opportunity in Standing Committee to explore every conceivable form of regulation proposed by the Bill. *[Interruption.]* Because of his lack of experience in opposition, the hon. Member for South Dorset (Mr. Bruce) has not tackled the job of being on a Standing Committee and tabling the probing amendments that lie at the heart of the role of a sensible Opposition. If the Opposition cannot do that, they should not hide behind complaints. I may be stoking the fires for my hon. Friend the Minister of State, but, if the Opposition have concerns, they should express them not in this debate, but in Standing Committee. That is where sensible consideration should be given.

This bold and courageous Bill has within it the means of securing a consensus across industry and society. We must recognise that the Bill is based on a premise that the Labour party wants to see people employed in decent work and with good wages on the basis of fairness for all. I welcome the Bill on that basis.

5.48 pm

Mr. David Chidgey (Eastleigh): In response to the right hon. Member for Wokingham (Mr. Redwood), let me state for the record that the Liberal Democrats have long argued for best practice in the workplace, including family-friendly policies. We do not oppose those concepts and principles. If we criticise the Bill tonight and in Committee, it is not because we are against the principles or the policies; it is because we see shortcomings and concerns, and we have the right and the duty as Opposition Members to raise them. Let it not be said that the Liberal Democrats are against fair and modern practices in the workplace.

There are three main strands to the Bill, which I suggest are the individual rights of the worker, the collective rights of the worker and the family-friendly practices which will soon become law. I shall deal with each in turn. However, there is a fourth strand which, in spite of their claims to the contrary, the Government appear to have overlooked; the Bill is somewhat one-eyed in this respect. The fourth strand concerns the rights, or expectations, of the employer. If the Government believe in partnership in the workplace, they must consider that aspect. Without that fourth strand being as strong, sinuous and flexible as the others, the cord supporting employment opportunity will be prone to snap. Governments cannot legislate to make firms stay in business, but they can create legislation that drives firms out of business, and the Bill is in some danger of doing that.

There is no question but that the most important assets in the workplace are the skill and application of the work force. Employers who underestimate the value of their human capital do so at their cost. A healthy, committed and loyal work force is absolutely essential. There are plenty of examples of best practice—the Secretary of State cited a few—in which firms make an extra investment to provide good working conditions and gain a return through the greater commitment of their workers.

The Bill has good intentions, but, instead of embedding best practice in the workplace, it drifts off into a maze of unspecified regulations which may be introduced as the Secretary of State decides. Those regulations seem to be supposed to cover all the facets of human nature and all the best and—dare I say it?—the worst attributes of the human condition. As if to add insult to the injury to the House, the regulations will be put on the statute book through secondary legislation, at the whim of the Secretary of State.

The hon. Member for Ochil (Mr. O'Neill) went on at some length about the opportunity for us to debate the regulations, but there will be no such opportunity. Statutory instruments will come along well after the Bill has gone through the due process.

Mr. Ian Bruce: The hon. Gentleman will know that, when we tackle the Minister in Committee, he will say that the Government are holding consultations; he will not talk about what will be in the regulations.

Mr. Chidgey: I had rather hoped that, at this stage in the Parliament, the Minister would have enough confidence in the House to allow us to debate the issues here, rather than pushing us to one side.

Mr. Ian McCartney: Let me put the hon. Gentleman's mind at rest. When the Government introduce regulatory proposals, we do so by debate in the House and by resolution, with a vote.

Mr. Chidgey: I am afraid that we will have to disagree, because only the other week the working time regulations arrived on my desk and I do not recall any debate on the detail. That is the problem. The Minister looks puzzled. I hope that he will allow us to consider the proposed regulations in detail in Committee. If that is his commitment, I am reassured, but the point still has to be made.

Mr. Hancock: I am sure that my hon. Friend will agree that the Minister was especially vague when he talked about the protection that people who are working on contracts through agencies will get. He did not spell out to those 1 million people what the changes would be, how they would be implemented and what benefits they would get. Surely the Minister should come clean and give them at least some indication of what they can expect.

Mr. Chidgey: I agree.

The Bill is in danger of becoming a bureaucrat's charter, starting an avalanche of legislation which will make a lot of work for civil servants and a lot of money for lawyers. I am also worried that it could create mischief in the workplace, which is the last thing that such legislation should do.

The Government claim that they support business and believe in partnership in the workplace—I know that the Minister sincerely believes in that—but the Secretary of State is on record as saying that he believes that wealth creation is more important than wealth distribution, which I do not go along with.

Only last week, the Prime Minister told business leaders in Bristol:

> "There has been a shift in the debate in Europe. Things like the working time directive are things that were agreed a long way before."

Mark the Prime Minister's words. He went on:

> "We can either say that the best way of job protection is more and more regulation to prevent people losing their jobs. But the danger is"—

his grammar, not mine—

> "that you end up just clogging up the system so it cannot work properly."

Mr. Alan Johnson: I have heard the hon. Gentleman's criticisms of the Bill. Which parts of it would he remove if the Liberal Democrats had the opportunity?

Mr. Chidgey: If the intentions of the Bill were clear, I could say where I disagree with it. I have already said very clearly that we wholeheartedly endorse the principle behind it, but we cannot fathom how it will work, and we have a duty in Parliament to do that.

There is an urgent need to put the Bill's aspirations into perspective and concentrate on the worthy, even essential, goal of shifting employment culture to embrace best practice, with the emphasis on example backed up by clear, straightforward, transparent regulations. I agree with the Secretary of State's examples of best practice, and I could cite many other instances of multinational firms recognising the worth of their staff and of good employment practices. They know that employees' working environment, participation in decision making, access to training, and opportunities to balance work, leisure and community activities are more important, in the mechanics of the workplace, than many of the elements set out in the Bill.

The Bill, with its good intentions, sets a context, but it cannot create a future. It is better in rhetoric than in reality, especially in the way in which it encourages women and parents in employment. It is fussy, nannyish and over-prescriptive, but it is not the calamity that Conservative Members claim. There will be no huge leap in overall employment costs. Best practice shows that the rewards for the employer of maintaining good employment conditions far outstrip any costs. The competitiveness of our industry and commerce in Europe will not plummet overnight.

Mr. Ian Davidson (Glasgow, Pollok): Are the Liberals in favour of the 40 per cent. rule and the exemption of firms with 20 or fewer employees?

Mr. Chidgey: If the hon. Gentleman will be patient, I hope that I will get to that before too long.

A cursory examination of employment regulations throughout Europe makes the point clear. For example, if employers in Belgium want to make someone redundant, they have to pay one to three months' salary per year for the first five years of service, and one month per year after that. The maximum works out at about four years' salary. In Germany, workers who have served 15 years and are over 50 are entitled to a minimum of 15 months' gross salary. In Italy, managers with more than 10 years' service are entitled to a year's salary.

The costs of redundancy and dismissal in the UK are only a fraction of those in continental Europe, and the same goes for employment costs in general, so I do not want to hear any nonsense about the Bill driving firms out of business. That is not the issue.

It has long been our view that individuals should have the right to join or not to join a trade union and that no one should be discriminated against for being in or for not being in a union. The Bill introduces those individual rights, which we welcome. It also introduces measures to protect workers against discrimination by omission, but it fails—a major omission in itself—to deal with the right not to be discriminated against on grounds of age or sexual orientation.

Recent surveys show that a third of men over 50 are unemployed and that one in two of those are expected never to be in full-time employment again. There can be no doubt that those shocking figures are strongly linked to the culture of agism. There cannot be a Member of Parliament who has not been contacted by constituents who are bitterly frustrated at their failure to get employment because of their age. Highly qualified teachers in my constituency, with years of experience, cannot find work because they are passed over in favour of younger, cheaper graduates.

The Bill also fails to address discrimination on the ground of sexual orientation. Many hon. Members will recall the rather famous example of a lesbian couple in Eastleigh who were denied the same benefits from their employer that other employees received. South West Trains gives travel passes to employees and their partners, regardless of whether they are married, provided that the relationship is heterosexual. If the relationship is homosexual, no matter how long established, travel benefits are denied. The Bill gives the Government the opportunity to tackle discrimination on grounds of age and sexual orientation. So far, they have failed to grasp that opportunity. I hope that they will rectify that.

As my hon. Friend the Member for Portsmouth, South (Mr. Hancock) pointed out, the Bill also fails to make clear the degree to which the Government intend to extend employment rights to part-time and contract workers. We have long argued that part-time workers should enjoy the same rights as full-time workers, on a pro rata basis. That should be clearly stated in the Bill, which provides instead that the matter will be addressed only if and when the Secretary of State decides to make regulations.

I am pleased that the Bill deals with updating compensation rates for unfair dismissal and that it removes that anomaly once and for all. However, I should still like to see the details of the likely costs of that provision, as they would go a long way towards reassuring business. Figures from the Library show that, under the existing regime, the median settlement for unfair dismissal is just over £3,000. I assume that the Government have assessed the rise in settlements under the Bill, and I have asked the Minister for an estimate. So far, however, he has not replied.

I turn now to the question of collective rights in the workplace, which centres around trade union recognition. As the hon. Member for Ochil mentioned,

[Mr. Chidgey]

the Government's protracted negotiations with the TUC and the CBI have been well trailed. Both organisations are still grumbling, so it is likely that a reasonable balance has been struck; more often than not, if both parties in contract negotiations end up slightly unhappy, it suggests that the deal is a good one.

However, there are dangers in relying too much on a rigid formula. The Government should heed the advice of ACAS. After its work some years ago on trade union recognition claims, ACAS came to the view that, although a ballot of worker preferences is a significant indicator, it cannot provide the overall verdict.

The Bill provides for extending the powers of ACAS, but the Government should take note of that organisation's concerns. ACAS is rightly anxious to preserve its role as an independent, tripartite body, made up of the CBI, the TUC and independent members. The Bill must not weaken that position.

The Bill will make it illegal to sack a worker for going on strike, and that is welcome. Any individual should have the right to withdraw labour as part of the due process in industrial action. Yet again, however, the Government have failed to provide any information on the impact of the provision.

I have asked the Minister many questions about the impact of the Bill, and I am conscious of the fact that other hon. Members want to contribute to the debate. However, the Minister knows that I am still waiting for the answers. I hope that, in due course, I will find out why the Government decided that eight weeks should be the cut-off point before an industrial action causes dismissal to be triggered. However, I shall conclude by dealing with the issues of maternity leave and parental leave.

No one should question the right to take maternity leave. I certainly do not, but I wonder why the Government have not taken the opportunity to simplify the rules and unify the provisions that appear in several Acts of Parliament in one simple, straightforward Act. That would make personnel officers' jobs one heck of a lot easier.

The Bill introduces the right to parental leave, which again is to be welcomed. Good employers know that, if they recognise the demands of family life, their employees will suffer less stress and are less likely to take sick leave. Good working conditions bring greater commitment, greater loyalty and lower staff turnover.

The principle is fine, but what about the practice? What degree of flexibility will be permitted? How much notice will be required? The Bill does not answer those questions. Such details are essential, but they are to be introduced by the Minister at a later date through regulation.

The Government claim that they are business friendly and eager to support small firms, and so they should be; small firms are the engines of our economy. Yet in small firms the absence of just one individual can be critical to success. Employers need rights too: they need to be able to discuss and agree when maternity leave or paternal leave is taken.

The impact of parental leave will be different in different firms. Sometimes, it will be better to take three months' leave all at once, with an agency worker in to cover. That will not be possible in other firms: a drip-by-drip approach may be better, with the employee taking off one day a week. For example, taking off every Friday for two years would be roughly equivalent to taking three months off as a bloc. That would be less disruptive, to the firm and to the workers. However, any variation between those two extremes would be acceptable, as long as the agreement recognises the legitimate concerns and rights of both employer and worker.

Again, the Government have failed to reassure business. A year or so ago, the cost of the parental leave directive was estimated at about £35 million. The Bill imposes additional regulations, and it is reasonable for business to ask how much they will cost. So far, answer comes there none.

Finally, we come to the new idea, the gold plating on the European directive—the concept of emergency leave. I agree that decent employers will recognise the legitimacy of workers being able to take emergency leave. I also understand that some employers are not so open-minded, and that the provision has to be underpinned by regulation. However, I want those regulations to be simple and straightforward. I do not want the matter to be left for completion at the Minister's discretion, some time in the future. At present, we do not know where we stand, or how the provision will work.

It is possible that each type of emergency will qualify for a different leave tariff. An employee could be entitled to a certain amount of leave if the central heating breaks down, another amount if a child breaks a leg, yet another for a granny's funeral. Will there be a points system, as with driving licences? Will employees be disqualified if they acquire too many emergency leave points over a period? A personnel manager might call an employee into his office and say, "Well, Mr. Smith, in the last 12 months you have accumulated emergency leave points for a broken leg at school and a broken central heating system, and now you've just taken extra leave for a second granny's funeral. I'm afraid your points are over the limit and we have to take your licence away. You're fired." *[Interruption.]* The answers to my questions are not in the Bill, and we need to know how the measure will work.

What about employees who have the good fortune not to need sick leave or emergency leave? Will they get a reward, or a no claims bonus? Will they get extra days' leave? Where are the answers to those questions in the Bill?

We support the aims of the Bill, as I have made clear. However, we do not accept that the Government are right to introduce half-baked legislative proposals, without detail or debate in Parliament. As I said at the outset, that will make work for civil servants, money for employers, and mischief between employees and employers. I want the Bill to go into Committee with a large dollop of common sense.

6.8 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): Listening to the hon. Member for Eastleigh (Mr. Chidgey), I was reminded that, more than 100 years ago, Keir Hardie got fed up with the endless shilly-shallying and ambivalence of the Liberal party, to which he belonged. As a result, he founded the Labour party—and how right he was to do so. Judging from the hon. Gentleman's contribution, not a lot has changed among Liberal Democrat Members. The speech was pointless, and I have never heard so much waffle. The Bill offers an opportunity to improve industrial relations legislation after what the Conservative Government did in their long period in office.

I welcome the Bill's general tenor and content, but I want to concentrate on a few points. In particular, I very much welcome clause 3, which will put an end to blacklisting. Some hon. Members who have been here a while will remember when an anti-blacklisting campaign was mounted in the House. The campaign had a large, cross-party membership. Members of all parties but one were involved—and there are no prizes for guessing which party could not provide a single member of that campaign.

I want to raise a serious issue. Clause 3 refers to blacklisting being prohibited on grounds of trade union activity, and that is an excellent provision. However, I remember an organisation called the Economic League, which was once a force in the land, with hundreds, if not thousands, of firms contributing to its funds, and, therefore, to the existence of a blacklist. People were blacklisted on grounds that had nothing to do with trade union activity. A constituent of mine was blacklisted for being a member of Anti-Apartheid, for example. The well-known Scottish folk singer, Hamish Imlach, was blacklisted on the grounds that he sang songs against Mrs. Thatcher, grounds that would have had most of Scotland blacklisted.

I shall not embarrass the firms that once supported the Economic League by naming them. Those firms gave up their membership following excellent work by "World in Action" and the investigative reporters of *The Guardian*. The organisation was embarrassed out of existence, but that does not mean to say that blacklisting may not still happen. That organisation could have been resurrected under another name, and there is nothing to stop firms conducting informal blacklisting within their trades. I have no reason to believe that blacklisting no longer occurs.

At the time of the campaign against the Economic League, the *Daily Mirror*—as it then was—did an excellent job. Into my hands came the entire list of those blacklisted, including several prominent members of the present Government. The *Daily Mirror* challenged the right hon. Member for Huntingdon (Mr. Major)—the then Prime Minister—to condemn the Economic League, but he refused to do so.

The newspaper rightly said that the organisation was conducting kangaroo courts and allowed no one to challenge their listing, which was in any event secret. People could have been kept out of employment throughout their working lives because of allegations that they could not challenge. Clause 3 is particularly welcome, and I look forward to seeing it in action.

I want to draw attention to some other aspects of the Bill. Recently, an American organisation that prides itself on union busting said that it would come to Britain to offer employers advice on how to subvert the intentions of the Bill. I am sure that the Minister and his colleagues will not put up with that. If any such action takes place, I hope that he will quickly review the Bill to ensure that no one gets away with it.

I intervened earlier on the shadow Secretary of State, the right hon. Member for Wokingham (Mr. Redwood), to ask about people who work for LSG Skychefs. Were I not a member of the Transport and General Workers Union, I should not have known about the dispute involving those people, as it has had little coverage in the newspapers—at least where I live. I gather that the workers have jumped through all the hoops of Tory legislation. They have not acted unlawfully in any way. They are engaged in a legal strike. However, when they took one day's action at the end of last year, their employer retaliated by locking them out and dismissing them all. Every effort by their union and by others to take the dispute to ACAS has failed.

When I raised that point with the right hon. Member for Wokingham, he said that he knew nothing about it and would want to hear both sides of the story. I was surprised that the shadow Secretary of State knew nothing about the dispute—surely it is his job to be aware of such matters. There is currently no one on the Conservative Front Bench to answer for the right hon. Gentleman—*[Interruption.]* I see the hon. Member for Daventry (Mr. Boswell) returning to his seat. Let me put this challenge to him: will he look into the matter, and if the facts are as I have stated—I have no doubt that they are—will he take it up?

The Conservatives live in a dream world, in which all employers would be good if only they could. They do not live in the real world in which some employers do not know that the world has changed, and that employees expect better rights.

Mr. Boswell: I am grateful to the hon. Lady for giving me the opportunity to emerge from the ethereal darkness behind the Speaker's Chair. I shall study her speech, and if she would care to give me further details of the case, I undertake to look into it objectively and without preconception in favour of either party.

Mrs. Fyfe: I thank the hon. Gentleman for that assurance and I shall place the information in his hands. I hope that, if he has any critical comment to make about the action of the firm involved, he will do so in public rather than simply in a letter to me.

My final point relates to the size of companies covered by the Bill. It may seem reasonable to argue that, if a firm thinks it needs 21 employees, 21 is the number it should have. Firms will not employ more or fewer employees than they need to deal with their work load. However, it does not take much ingenuity to think of certain types of firm—for example, a small firm in the rag trade—which do not need huge workplaces or elaborate equipment, and which could get round the Bill by creating several small groups of workers under different company names. I hope that the Bill can be framed to prevent any such action to get round its intentions. Those who work in the rag trade have been among the most ill-treated employees.

Years ago, before I came to the House, I taught trade union studies to people sent by the TUC to learn about industrial relations and about how to advance their interests and to negotiate with employers. The rag trade workers tended to be those who had the greatest number of problems and who faced the most outrageously unfair employer practices. Problems are greatest not among the largest firms, but among the type of employers who run small, fly-by-night operations that can easily close down and start up again elsewhere.

I welcome the Bill's family-friendly aspects. It is nonsense to argue that firms may faces losses simply because they treat their employees decently. Ever since

[Mrs. Fyfe]

the industrial revolution, it has been clear that, the better employees are treated, the more likely they are to treat the employer well and to be committed people whom employers are pleased to employ. Decent relations between one side and the other are more likely to result in a profitable enterprise than are attempts to get away with treating people as foully as possible.

The Bill is welcome, and I look forward to seeing it further improved in Committee.

6.18 pm

Mr. John Bercow (Buckingham): The Bill is ill-judged and its main effects will flatly contradict earlier statements by Ministers. In April 1997, in the foreword to Labour's business manifesto, the Chancellor of the Exchequer—then shadow Chancellor—stated:

> "We will not impose burdensome regulations upon business because we understand that successful businesses must keep costs down."

Nineteen months later, the immediate predecessor of the Secretary of State for Trade and Industry—the right hon. Member for Hartlepool (Mr. Mandelson)—declared:

> "we have no intention of introducing any legislation that will present a burden on business and reduce the competitiveness of British firms."—[*Official Report*, 25 November 1998; Vol. 321, c. 214.]

The tragedy is that the Bill does both: it will raise costs, and it will reduce competitiveness. We have suffered the misfortune of having the Second Reading debate introduced by a Secretary of State—no longer in his place—who showed no evidence of ever having owned, run or even worked in a business of any kind, least of all a small business.

Mr. Ian Stewart: Will the hon. Gentleman give way?

Mr. Bercow: Time is limited. I may take the hon. Gentleman's intervention later if time allows.

Why should Ministers care? Through the normal methods of advance briefing and anonymous leaks to the media, we got an indication of their thinking on the matter. The other day, a senior Minister—one of those who wanders in the dark—told a newspaper that, as long as both the CBI and the TUC were brassed off,

> "we won't have a problem."

One might ask—although it will not take long to provide an answer—what the said senior Minister meant by the use of the term "we". What he meant, of course, was that the Government would not have a problem; Ministers would not have a problem. The tragedy is that business will still have a problem, the economy will still have a problem and the country will still have a problem—at a time when company failures are rising for the first time since 1992; when small business start-ups are declining; when we are under increasing pressure; when profit forecasts are being revised downwards; when short-time working is on the increase; when downsizing is commonplace; and, when, at 6.2 per cent., on the Government's preferred measure, unemployment is substantially higher than in the United States. That is the reality of what the Government are doing.

I want to focus on two particular aspects of the Bill. The first is the provision relating to trade union recognition. The Secretary of State did not even attempt to gainsay the overwhelming evidence that most businesses implacably oppose the provisions for trade union recognition. He could not deny that that is true. Those businesses are against the provisions for trade union recognition because they believe that they will have a corrosive effect on company performance and industrial relations.

Specifically, the fear of senior business men, large and small, is that the Bill will stop or weaken labour market flexibility and will militate against multi-skilling. Both of those are crucial preconditions of commercial advantage in a highly competitive world.

Ministers could have done us a favour by at least allowing exemption from the provisions on trade union recognition for firms of fewer than 50 employees. A number of right hon. and hon. Members on the Government Back Benches complain about the Secretary of State for excluding very small firms—micro-businesses and other small businesses—from the legislation. The Minister will attempt to defend the Government's position, no doubt with great eloquence, in his winding-up speech.

My complaint is that businesses of between 21 and 49 employees have not been excluded from the provisions. They will suffer as a result. That is unfortunate because, if the Government had made that concession in accordance with their definition of a small business in different legislation—the Late Payment of Commercial Debts (Interest) Act 1998—that would have freed between 200,000 and 300,000 businesses in the UK from the clutches of this damaging impost. It is a disaster. The Minister should account for the differential treatment by the Government of different sectors in different legislation. Ministers have not explained why that is so.

Secondly, I turn to the Government's so-called family-friendly policies, to which there are two main parts. We understand that parental leave is to be for three months per person, and that that leave is to be unpaid. The Government have made an extremely cautious estimate of the likely cost of the provision. They say in the regulatory impact assessment that they expect it to be about £28.8 million a year, although they concede, for those who bother to study the text, that that is based on what may prove to be a dramatic underestimate of the number of people who are likely, especially in the first year, to claim that entitlement.

The Government reckon that only 0.5 per cent. of those eligible to claim the benefit will do so. The figures could, of course, be much larger than that, but I turn the mind of the House to the proceedings of the Select Committee on Trade and Industry—on which I am privileged to serve under the excellent chairmanship of the hon. Member for Ochil (Mr. O'Neill)—last November.

On 4 November, the then Secretary of State for Trade and Industry, who showed that he was not even aware that his Department had conducted an assessment of the likely costs of the directive, nevertheless brazenly declared that, whatever the cost of the parental leave directive—he was referring to a CBI estimate of the cost—it would be "a tiny fractional amount" of the total employment costs that are borne by business.

With that observation, the former Secretary of State, who, again, has never run or worked in a business, still less owned a business, sought to dismiss the concerns of those who are worried about the Government's intentions.

The problem with his position and that of the new Secretary of State and Minister is twofold. First, although in isolation, any particular measure is of course likely to account for only a tiny fractional amount of the total costs that are borne by business, that does not mean that it is of no significance. It is the cumulative impact of a torrent of regulations and additional taxation from the Government that causes legitimate concern in the business community—£40 billion additional tax and regulatory burden in the course of this Parliament.

My second point is, if anything, even more revealing for what it tells us about the naivety and ignorance of the right hon. Member for Hartlepool. In dismissing the cost as a tiny fractional amount and, to use another word, "marginal", he did not realise that, often, a marginal impact can make a decisive difference—between a business surviving and going under; being able to keep its existing employees and having to get rid of an employee or more than one employee; and staying at its present size and being able to take on more employees.

The Government should not have signed up to the cack-handed folly of the European social chapter, which obliges this country to adopt the parental leave directive. If they had had any foresight, they should have looked across the Atlantic and seen what happens.

In fairness, the Secretary of State conceded to me earlier that the American record on job creation was good. In the United States—I do not know whether the Minister, who is not an obvious fan of the United States economy, has looked at the example—there is provision for unpaid parental leave for three months. It is provided under the terms of the Family and Medical Leave Act 1993, but, in a country with 23 million small businesses, that legislation wisely excludes from its ambit firms of fewer than 50 employees. The British Government should have had the sense and judgment to do the same.

What of time off for domestic incidents? The Government say that time off should be reasonable. I agree. The question is, are there to be limits or no limits? If there are no limits, the measure is open ended and could, potentially, be seriously abused. If there are limits, there is a danger—I do not say that it is an inevitability—that such time off will come to be regarded as a natural part of the holiday entitlement of an existing employee.

What we need is careful consideration by Ministers, and no repetition of the outrageous parliamentary abuse that accompanied the introduction of the working time regulations. We need from the Minister a guarantee that there will a minimum three-month consultation period on the regulations; a guarantee that there will be a parliamentary debate on the regulations before they take effect; and a commitment that companies that will have to implement the regulations and bear the costs will receive at least three months' notice of having to do so, rather than the paltry and insulting six weeks with which they were fobbed off in the context of the working time regulations.

The shadow Secretary of State, my right hon. Friend the Member for Wokingham (Mr. Redwood), rightly highlighted the serious opposition of business to the proposals. The Institute of Directors has said that they would sap the competitiveness of British firms. We know that British Chambers of Commerce thinks that they could slow or stop growth in the small business sector. The Forum of Private Business has talked about the possibility that the moves could be disastrous for small firms. The Federation of Small Businesses said that the Bill could make it too costly and risky to employ staff. Our reliable old friends, the lawyers, predict an exponential increase in litigation and a massive increase in legal costs. Is a bonanza for lawyers what the Minister wants?

I cavil not only at what the Government are trying to do—partly to buy off the trade unions for the £110 million in today's prices that they contributed to the Labour party's coffers in its 18 years in opposition; partly to assuage the European Union; and partly, I concede, out of a fair-minded concern to develop good employment relations. There is an alternative. If Ministers want to create better employment relations, they should start by fostering a climate that is conducive to the creation of more employment. That would entail a speedy reconsideration of their massive tax and regulatory imposts on British industry and commerce.

On regulation, the compliance cost assessment should not be a casual afterthought trundled out at the last minute with scant regard for what people think; still less should it be a post hoc rationalisation of what Ministers have already determined to do. It should be part of the process of discussion, debate and consideration—part of the cost benefit calculus in deciding whether a measure should be introduced at all.

I counsel the Minister to add to his reading list two important pieces of American legislation that are advantageous to the small business sector: the Regulatory Flexibility Act 1980 and the Small Business Regulatory Enforcement Fairness Act 1996. That might sound a mouthful, but the taste of it to most American business men is rather better than the menu dished up by our thoughtless Labour Administration. The Government's proposals are bad for business, are unwise and have been introduced at the wrong time. The consequences will be damaging to the British commercial environment. The Government should think again, even now. The Opposition do not believe that the Bill deserves a Second Reading and we shall vote against it. I ask the Minister to consider carefully the legitimate criticisms and real anxieties that people across the country feel.

6.33 pm

Mr. Bill Etherington (Sunderland, North): It gives me great pleasure, in my first contribution this year, to speak on this Bill. I have been waiting 20 years, almost a generation, for legislation that considers the common man and woman at the bottom of the pile—the real wealth creators—rather than being for the benefit of companies, employers and their balance sheets, and, perhaps more importantly, their power.

I am particularly pleased to follow last year's Back Bencher of the year. In many ways, his speech encourages me in mine. If one peels away the nice presentation and great eloquence, his party wants the employer to dominate and the employee to have the right to do as he or she is told. It is important to step back and see where we are before the Bill goes through.

Legislation for trade unions and their members is now worse than it was 100 years ago. If anyone doubts that, I recommend, particularly to Conservative Members, that they read a book by the recently deceased Henry

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Pelling—most of them have probably never heard of it—called "A History of British Trade Unionism". It shows how things have fluctuated over the years.

Although I am implacably opposed to everything that the previous Government did from 1979 onwards, I am generous enough to admit that, unbelievable though it may seem, there have been times in history when the Tory party has introduced legislation beneficial to workers and trade unions that might have had a slight deleterious effect on employers and companies. What particularly pleases me about the Bill is that it begins to recognise that people have more responsibilities than just being at the beck and call of an employer.

We need to look at the vast array of legislation introduced by the previous Administration. In case Conservative Members have forgotten, when people legitimately fought for their rights, they were classed by Mrs. Thatcher as the enemy within. That is dressed up now. I was amazed to hear the right hon. Member for Wokingham (Mr. Redwood) sound sympathetic. If I picked him up right, he said that they did not make legislation to stop people who were having difficulty with their employers joining a trade union. That is tremendous progress for the Opposition.

I have an interest to declare, though not a financial one. I was formerly employed by the National Union of Mineworkers, the only decent employer that I have worked for since I left school. Perhaps I have been unfortunate, because we have heard about all these good employers. When I speak to colleagues about good employers, they say, "You know, Bill, that is a peculiar term. Are you talking about good employers or some who are better than others?" In many ways, that sums up the situation.

Mr. Ian Bruce: The hon. Gentleman mentioned the National Union of Mineworkers. Was he one of its London employees who was sacked almost without notice when it decided to move its headquarters back to Sheffield? I remember them going on strike. That is not like a good employer.

Mr. Etherington: The hon. Gentleman need not worry, because I have never been a London employee; being here is the nearest that I have come to it. I was not sacked by the NUM. I am not sure whether I was promoted or demoted when I came here; I am still trying to work that out.

Every piece of legislation that the Tories introduced was anti-trade union. It had the gloss of improving the rights of trade union members within their union, but did nothing to improve their rights in their relationship with their employers. That is why we have ended up with so many people working longer hours under worse conditions, often for worse wages. The Tories left a wonderful heritage to workers, and they will never be forgotten or forgiven for it.

I have one or two criticisms of the Bill, but they are comradely. I congratulate my right hon. Friend the Secretary of State on his elevation to the Cabinet under difficult circumstances. If today is anything to go by, he is making a good job of it. That does not surprise me, because he comes from the same part of the world as I do and represents a similar constituency. Unlike Conservative Members, he probably has a fair grip of what it is like to be at the bottom of the employment pile.

The problem affects not middle management but people at the bottom of the pile. There is no need to mess about with any other form of words. That is what the Bill seeks to put right. I have heard all sorts of stories this afternoon about how it is easy for people to get time off and how this does not need legislation. If it were easy to get time off, there would be no need for legislation. That is the simple answer.

It must also be said that we start from a bad position. British workers, trade unionists and trade unions have the least rights of any European Union country. That will improve as times goes on and the Bill is a good start.

Mr. Ivan Henderson (Harwich): Will my hon. Friend give way?

Mr. Etherington: Certainly, but will my hon. Friend please keep it brief, because I have only got 15 minutes?

Mr. Ivan Henderson: Does my hon. Friend remember in 1992 when dockers were discriminated against for belonging to a trade union? They had fewer rights and less pay. The Conservative party did nothing to protect them. They were left to lose their jobs. They went to the other place under the law, but lost their money and their jobs.

Mr. Etherington: I totally agree. I am willing to give way to any Conservative Member who can give an example of a Conservative Member, regardless of the consequences and no matter how bad the situation, standing up to support workers in dispute with an employer when that employer has reneged on an agreement or acted in a totally abysmal manner.

Mr. Bercow: I intervened in an employment dispute in a former company of mine on behalf of an employee who shamefully was denied a bonus that she had long been owed, but that she was scared to claim. I was absolutely determined that she should get the bonus and I am pleased to say that, through her efforts and those of others including me, she eventually did so.

Mr. Etherington: I am pleased to hear that, but it does not answer the question I posed, which was whether any Conservative Member had ever intervened in the House on such an issue, because I have never heard of that happening. I have made that offer before, but it has never been taken up and the hon. Gentleman's intervention takes us no further forward.

I have one or two problems with the Bill. Quite a lot has been said, mostly in interventions, about the waiver for small employers. I am concerned about that, albeit not for the same reasons that Conservative Members are concerned: they do not want any rights for anybody, no matter how big the firm, so I totally dissociate myself from any of their comments on the subject. My concern is based on human rights and civil rights. I cannot come to terms with the fact that, if one firm has 20 employees, all 20 of whom want recognition for negotiation purposes and so on, and the firm next door has 22 employees, 12 of whom want recognition, it will be the employees of the larger firm who are entitled by law to recognition, not the employees of the smaller firm. That cannot be right.

I have heard the explanation given here and elsewhere by my right hon. Friend the Secretary of State, but I am still not satisfied. If the argument is that small businesses are special and different, I cannot go along with it. I do not want to put any additional burdens on small businesses, but the fundamental principles that should be paramount are equality of treatment, justice and civil rights. People working in small companies—about 25 per cent. of all employees—are the ones who most need the full protection and assistance of a trade union. Although I welcome the Bill, I am unhappy about that part of it.

I am very unhappy about the clause whereby employers, if they have gone through the necessary—I nearly said charade, but that is unfair—system of negotiating meaningfully with employees, will be entitled to sack strikers after eight weeks. I perceive big dangers in that, the biggest of which is that—as the courts have proved on many occasions, sometimes on technicalities—there is already a considerable hurdle in terms of legal challenge to get over before employees are able to mount a strike without the threat of the law being hung over them. If it is considered right that employees on strike should have protection, there should be no time limit.

I am very unhappy about that, but I think that the rest of the Bill represents a tremendous step forward. I am sorry to hear that it is to be the last such legislation in this Parliament, because I believe that legislation, as well as having a salutary day-to-day effect on miscreants, is a vessel for changing the attitude of society. Above all, I believe that the Bill will begin to change society's attitude.

I hope that our manifesto for the next election, after which we shall be returned to government again, will contain a promise that we shall go a little further. No matter how good a piece of legislation is, it is always found that some aspects do not quite work the way they were intended to. I am reassured by the Secretary of State's saying that, if things do not work out in quite the way they were intended to, the Government will make amendments at a later stage, not by introducing wholly new legislation, but simply to address any problems that might arise from the Bill.

I have waited a long time for this opportunity, but it has been worth the wait. I am a little happier that we have reached this stage and I shall be extremely happy when the legislation comes into force, because, unlike the Conservative party, I believe that the trade union movement has done more good in British society than any other organisation. Over the years, it has been constructive, it has looked after people, it has been willing to take on difficult causes and, unlike the Conservative party, it has acted as a moderating influence on society, not by looking after only a small number of people—the very well-off—but by showing its concern that there should be a better society for all.

6.45 pm

Mr. Graham Brady (Altrincham and Sale, West): I am pleased to follow the hon. Member for Sunderland, North (Mr. Etherington) in this important debate. It is evident that he speaks from the heart, which is good to hear in the House of Commons, and I congratulate him on his speech.

There are deeply felt differences of opinion on the Bill. Its subject matter has been debated in the House of Commons and British politics for many years and it will, no doubt, continue to be a source of contention. However, the hon. Gentleman is right to identify today as being a good day for old Labour and for the trade union movement, for, contrary to the Secretary of State's remarks in his opening speech, the Bill is but the first of a series of steps.

The most damaging feature of the Bill is that it gives no details of the Government's intentions—it is an enabling Bill that sets out broad powers in a wide range of matters, with the detail left to be supplied in regulations. There is so little detail in the Bill that, for all the Secretary of State's saying that the Government are taking but a single step and that the Bill lays down the industrial relations framework for the rest of the Parliament, he is in fact establishing a legislative framework that will give Ministers considerably greater powers to increase the power of the trade unions, decrease the power and freedom of business, and increase the costs that apply to business.

Mr. Hope: The hon. Gentleman describes the Bill as damaging, but will he explain to temporary workers in my constituency of Corby why he regards the awarding of holiday pay to temporary workers as damaging? Will he confirm that the Opposition would withdraw holiday pay from such workers?

Mr. Brady: I am delighted that the hon. Gentleman raises that point, because in so doing he makes my case for me—that issue is not covered in the Bill. Now that the Bill has been published, temporary workers have no more idea whether they will have such security than they had a week, six months or two years ago. That is entirely illustrative of the approach taken in the Bill: it is not made clear at any point in the Bill who is covered, or what detailed provisions will be made for those who are covered. I am pleased to see the hon. Gentleman reading the Bill, perhaps for the first time. He might find it instructive.

Mr. Hope: Perhaps the hon. Gentleman should read the explanatory notes that accompany the Bill, for they make it absolutely clear which rights every worker will be entitled to. I repeat my question: do the Opposition support temporary workers having the rights that other workers already enjoy?

Mr. Brady: Again, that makes my point. The hon. Gentleman would be wise to look more closely at the Bill and to consider why the Government are intent on avoiding putting detail in the Bill. I contend that the reason is that there is a balancing act to be gone through before the whole Bill represents a final settlement. The question is one of striking a balance, not between trade unions and business, or between the rights of employees and employers, but between the different parts of the Labour party. That balancing act has not yet been resolved. It is clear that the Secretary of State and the Prime Minister have not yet decided where they want to end up.

The hon. Member for Eastleigh (Mr. Chidgey) referred to a speech made by the Prime Minister in Bristol a couple of weeks ago. The spin coming off that speech was astonishing, with the suggestion that European directives would be repealed because they were no longer in tune

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with the current vogue for greater competitiveness and less regulation. The Prime Minister is happy to talk about such matters, whether in this country or in Europe, yet what little detail we can glean from the Bill suggests an entirely opposite approach. The Prime Minister—and the Secretary of State—is saying one thing to a public audience, one thing to a business audience, and another thing to a trade union audience and to the Labour party, but he is not prepared to nail his colours to the mast and say what rights he would be prepared to accept in the Bill.

Mr. Ian Bruce: My hon. Friend is making a good point, as did the hon. Member for Corby (Mr. Hope). The Bill gives the same rights to temporary employees as it does to full-time employees, but agencies can find the same way round them as they do in France. In France, an employee cannot be temporary for more than three months. That is exactly what is likely to happen as a result of the Bill. Temporary employees will be sacked after three months, and they will not be entitled to holiday pay because of it.

Mr. Brady: I thank my hon. Friend for his intervention.

The Secretary of State suggested that he is seeking to end the divisive culture of conflict, fear and mistrust in the workplace, yet that seems to ignore the fact that, over the past 20 years, there has been less industrial action and fewer days lost through strike action. There has been a much better record in industrial relations than ever before. Now, the Labour party, with enthusiastic backing from its Back Benchers at least, is seeking to turn the clock back and roll back the important reforms that have made the United Kingdom one of the most competitive countries in the world.

Lorna Fitzsimons: Will the hon. Gentleman give way?

Mr. Brady: No, I need to make some progress.

The crucial test of the Bill—and of the Government's supposed new framework of industrial relations—will be whether it increases or decreases the likelihood of industrial action. Will it increase or decrease the likelihood of a return to industrial strife? I suggest that it is very likely to increase industrial disharmony and strike action, and that it will be a retrograde step for that reason. There will be more opportunity for dispute and more conflict over recognition.

There will be trade union representation even in the very small businesses to which reference has been made because an employee will have the right to have a trade union representative with him in any grievance procedure. That point needs further attention because, although the Government have sought to spin the issue, suggesting that they have done everything that they can to please business and have excluded small businesses from the provisions, there is in fact a way in.

At what point does a personal grievance become a collective grievance? Will it be possible for an employee to seek trade union support to complain about a grievance over pay? Will it be possible to take that action over the quality of food in the staff canteen or staff parking? That is not clear. The Bill clearly allows a way in which to circumvent in very small companies the exemption that it appears to provide for the benefit of small businesses.

There is procedure for a ballot on trade union recognition, but no counter-balancing limit on the right of strike action in support of recognition.

Lorna Fitzsimons: Will the hon. Gentleman give way?

Mr. Brady: No, I said that I wanted to make progress.

Such a lack of a limit makes one wonder whether the Bill is a genuine attempt to find a fair settlement. Given the supposedly fair balloting procedure to allow trade union recognition, why should it still be necessary to take industrial action either to speed up that process or in response to results that are not as some people might wish? The Bill, and the regulations that flow from it, will affect small businesses even though, on the face of it, they are exempt from some of the provisions.

Reference has been made to the upper limit of unfair dismissal payments. A £50,000 payment may not be imposed often, but it does not need to be in order to put a small business out of operation. Labour Members have suggested that the higher limit will make businesses more careful and that unfair dismissal cases will not occur so often as a result. Making very small businesses over-concentrate on and be over-aware of legal procedure and regulation in every aspect of their daily activities could constitute a major cost. Some very small companies do not have recourse to proper advice on personnel matters.

Mr. Ian Stewart: Is the hon. Gentleman not aware that it is a function of the Advisory, Conciliation and Arbitration Service to give advice, and that many codes of practice are already in place of which small and larger businesses can make use?

Mr. Brady: I hope that the hon. Gentleman will understand that, in the cut and thrust of the daily lives of small businesses, the point is not whether the best advice is available should they seek it, but whether they have time to seek it or are aware of where it can be sought. By increasing pressure and potential costs on business, that could cause serious problems.

The parental leave elements of the Bill will of course add costs. Again, there is no detail—not even on whether the provisions will be paid or unpaid. Ministers have suggested their preferences, but they are not in the Bill. Reference has also been made to the clause on domestic incidents. That is a classic case of gold-plating the European directive, adding unnecessarily to costs.

Lorna Fitzsimons: Will the hon. Gentleman give way on that point?

Mr. Brady: On that point, I will give way to the hon. Lady.

Lorna Fitzsimons: I thank the hon. Gentleman for his gallantry. Is he aware of the direct correlation between the greatest incidence of time off and stress created by bad employment circumstances? As numerous employment studies have shown, good employment relations mean a healthy and loyal work force, greater productivity and less time off.

Mr. Brady: That is precisely why I think that most employers seek to accommodate their employees where they can, and why it is inappropriate to legislate to require businesses, which may not be able to face the cost and may make redundancies as a result, to do things that may not be in their interests.

In implementing the European directive, the Government of the Republic of Ireland specified urgent family reasons for time off: owing to injury or illness of a child, an adopted child, a spouse or person with whom somebody is living as a husband or wife, a person to whom an employee is in loco parentis, a brother, sister, parent or grandparent. As a result, it is clear which circumstances businesses must face, and what the Republic of Ireland Government intend to happen as a result of the European directive.

In this Bill, there is no such clarity. It has been left deliberately vague. It is not clear precisely which incidents in the home affecting a member of a family or somebody who depends on the employee may apply under the Bill. The provisions could apply to a neighbour. The cost of events surrounding anybody who is in the habit of depending on the employee, such as an elderly person whose neighbour does their shopping, should not be borne by the business. It is not sustainable to add such social costs to the daily operating costs of a business. If Ministers do so, they will put companies out of business.

Small businesses will be affected; discipline and grievance procedures will provide a way of circumventing rights and exemptions that are supposedly being accorded to small businesses, and the Bill's lack of clarity and certainty will give many businesses cause for concern.

The Government's performance over the implementation of the working time directive, the amount of time that they have taken considering its regulations and the fact that they were not prepared to debate them in the House give us no confidence in Ministers' ability to propose regulations that will do what they wish them to do, give us no confidence that the regulations will be brought forward in good time, give us no confidence that businesses will have adequate warning of what they will face, and certainly give us no confidence that there will be opportunities to express concerns about the regulations.

This is a classic new Labour Bill, which none the less gives great hope to old Labour and the trade union movement. It is a classic new Labour Bill because it has no detail, does not nail its colours to the mast and is all spin. Recently, one newspaper sketch writer referred to the Secretary of State for Trade and Industry as the "self-wipe Minister", because he could say something one minute, but it had disappeared the next. This is a self-wipe Bill. Although it has no content, it allows Ministers massive new powers to implement, at will, new regulations, which will have a devastating effect on British business.

6.59 pm

Mr. Ian Davidson (Glasgow, Pollok): I welcome the Bill as the first legislation for 20 years that is not anti-employee and anti-trade union, and many Labour Members welcome it for precisely those reasons.

The Bill's name has changed. A much better change would have been to name it the McCartney Bill, after the Minister of State who has been involved in piloting it through such choppy and difficult waters. The fact that we are debating it is a tribute to the work of my hon. Friend the Minister, who has pursued the legislation with skill, perseverance and, allegedly, not a little cunning—*[Interruption.]* My pronunciation may have misled the House, but I did say "cunning". My hon. Friend's achievement is all the greater when we consider the sources of the spin and disinformation that have accompanied the Bill through its formative stages.

I welcome the concept of partnership incorporated in the Bill. The idea of involving and negotiating with the CBI and the TUC is greatly to be welcomed. I recognise the need to make allowances for the legitimate concerns that have been expressed, but we have to question the extent to which the partners, especially the CBI, have bought into the process. If the Tories are representing the CBI's views, as they claim to do, I wonder what evidence there is that the CBI has bought into the process, and if it has not, why have we bothered to make any concessions to the organisation at all?

If there are negotiations and an agreement is reached, those involved must support it. If the CBI does not support the Bill, despite its having been involved in the negotiations, perhaps some of the terms in the Bill with which some of us are not entirely happy should be reconsidered.

Redistribution of wealth has recently been discussed in some circles. I am all in favour of wealth creation—as we all are—but wealth distribution in its various forms makes up much of the substance of politics. The Bill gives us the opportunity to realise a much fairer distribution of wealth and power in our society. The strengthening of trade unions will result in a substantial shift of wealth and power in favour of working people and their families. That is what Labour Members should support.

It is possible that the change in the distribution of wealth and power resulting from the Bill will be as great as or greater than any measure introduced by the Chancellor of the Exchequer. The Bill's impact, which will be more wages and more influence for working people, will dwarf much of what Governments do directly. We ought to consider renaming the Secretary of State for Trade and Industry the Secretary of State for redistribution of wealth.

Mr. Chidgey: The hon. Gentleman almost answered my question with his previous comment. Does he make a distinction between the distribution of wealth and the redistribution of wealth, which I understand was very much old Labour's policy?

Mr. Davidson: I shall come to that point in a moment—it is included in my notes.

Trade unions will obtain higher wages and better conditions for their members, but I do not believe, as the Opposition seem to do, that our society is a zero-sum game. While workers in unionised firms are likely to be better paid, they are also likely to be better motivated. Just as they are likely to have more say, so they make a greater contribution. Just as they are in less fear, so they are less distracted from the work in hand and more able to concentrate on the job that they are trying to do.

We must get away from the idea that, if one side wins, the other side automatically loses. That is why we should welcome the partnership concept and the positive recognition that workers are not simply units of production, but people with feelings who want to make a genuine contribution to the environment in which they

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spend so much of their lives. We ought to be clear that involving the unions helps growth and creates the wealth that we can then discuss how better to distribute. Many Labour Members should stop apologising for being pro-union and should stop being defensive because, although criticisms can be made, I agree with my hon. Friend the Member for Sunderland, North (Mr. Etherington) that the unions are overwhelmingly a force for good and for progress in our society.

Although I support the broad thrust of the Bill, it is not perfect. In particular, the 40 per cent. rule leaves a great deal to be desired. I wonder how many hon. Members would pass the 40 per cent. test.—achieving 40 per cent. of the eligible votes, not of the votes cast—which is applied in this case. Local authorities would be decimated and the London referendum result would not have been carried if the 40 per cent. rule had been applied.

As far as I am aware, that rule has been applied only once—in Scotland at the time of the first referendum on devolution. There is a lesson to be learned from those events because, not having achieved 40 per cent. of the eligible votes, people felt cheated. The matter did not go away; it returned and in the next referendum the vote was much larger. Those who introduced the 40 per cent. rule as a blocking mechanism ended up worse off because the devolution proposals that were eventually passed were tougher and more devolutionary than the original ones, so the rule was counter-productive.

We should also consider whether the rule about 20 employees being the cut-off point for union recognition is helpful, productive and deserves support. Should employees' rights depend on the size of the firm in which they work? Should not the individual right to be represented by a trade union apply to the individual, rather than depending on the environment in which the individual is employed?

I was disappointed to hear my right hon. Friend the Secretary of State say, in response to a question on that matter, that the issue is one of not placing burdens on business. Unionism—or perhaps I should say unionisation, given that a Unionist Member has just left the Chamber—should not be viewed as a burden. My hon. Friend the Minister should be more modern and recognise that unions are a bonus, not a burden. We should make it quite clear that we want to extend individual rights to everyone, irrespective of the size of the firm in which they work.

The Bill is less than perfect on the issue of dismissal after eight weeks. We should not leave the lack of guarantees or defence for workers in its present form. Similarly, in the proposals under which action can be taken if someone is dismissed after less than eight weeks, the concentration is on the procedure that will be followed, but no comment is made about the good faith of those who will follow it. There will still be an opportunity for employers to make unfair dismissals in situations where there are insufficient grounds for response. Much of that will depend on interpretation.

A number of areas are unclear. I hope that they will be thoroughly explored in Committee. They include questions about the Central Arbitration Committee, individual contracts, the definition of matters that are serious for union representation and issues surrounding agency employment.

This should not be the Government's final say. The situation must be monitored in practice. I agree with my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) that attempts will be made to find ways around the legislation. People will search for loopholes. Union-busters will be brought in and, if they are creative, they may act in ways that we will not have considered during our debates on the Bill. It has already occurred to me, for instance, that a firm employing 38 people could easily redefine itself as two firms, each employing 19, in an attempt to get around the problem of recognition. The Government must make it clear that they are prepared to plug such loopholes and to deal with operations that are contrary to the spirit of the legislation that is eventually agreed by the House. I am not asking them to present entirely new employment legislation.

Let me say a little about what has been said by members of the opposition parties. I am still not sure of the Liberal Democrat view on the 40 per cent. requirement. On three occasions, the hon. Member for Eastleigh (Mr. Chidgey) went round and round the houses. I hoped that he would state unequivocally that the Liberals were against 40 per cent., and in favour of the extension of rights to firms employing fewer than 20. Had he done so, I would have asked him to prevail on his leader to prevail on our leader to reconsider, in the fraternal spirit in which such matters are handled by our two great parties. Perhaps we shall discover later whether that is indeed the Liberals Democrat position.

Finally, I shall address myself to the second or third Bench from the back on the Opposition side of the House. I see that the Scottish Nationalists are entirely absent, as they have been virtually throughout the debate. I dare say that, during the forthcoming election campaign, they will take the opportunity to seek to cause mischief on whatever grounds are available, but their interest in the matters that we are discussing can be measured by their absence. I do not think that there can be a role for those who wish to intervene in industrial relations simply to create political mischief—if they have a contribution to make, they should be here to make it.

I support the Bill. I hope that it is enacted in an improved form, and I hope that the Government will give an undertaking to be prepared to plug loopholes if and when they are discovered.

7.13 pm

Mr. Ian Bruce (South Dorset): This has been a good-natured debate, and it has been interesting to hear the views of, in particular, Labour Members. I hope to be a member of the Standing Committee, but, given the honesty and straightforwardness of Labour Members today, I suspect that I shall not have an opportunity to hear their views then, because the Whips are putting black marks on the register even now.

Mr. Ian McCartney: A blacklist.

Mr. Bruce: It will be a blacklist! The Minister suggests that it will be, but I am sure that he is jesting.

I must declare some interests at the outset, because clause 28 concerns matters in which I have had a professional interest. For some 12 years, I ran an employment agency in Yorkshire. I have not actively traded in employment agencies for 10 years, but until the last general election I was an adviser to the Federation of Recruitment and Employment Services. I am currently an adviser to Trevor Gilbert and Associates, which is an expert witness practice, but which also owns a business employment agency.

I do not speak on behalf of those organisations. I have received no briefing. I speak from the heart about what I consider to be the basis of the Bill, and about what I consider to be the Government's aim. I assure the House that I have no blind trust and that no funds have been paid to me, even by the hon. Member for Coventry, North-West (Mr. Robinson). I was grateful to my right hon. Friend the Member for Wokingham (Mr. Redwood) for suggesting that we should all receive £370,000-odd from the hon. Gentleman. However, I want to concentrate on clause 28. I took the Bill home at the weekend, thinking that I was going to make a speech about the employment relations issues that we all thought would be in it. I was astounded when I read clause 28.

Some time ago, when writing an article to be published by one of the employment agency magazines—I do not remember which one—I took advice from the right hon. Member for Oldham, West and Royton (Mr. Meacher). Subsequently, because the right hon. Gentleman was replaced almost immediately—not because of anything that he had done—I took advice from the right hon. Member for Sedgefield (Mr. Blair). Previous Labour party manifestos had made it clear that Labour was opposed to employment agencies: it wanted them to be abolished, and it wanted employment businesses to be abolished. That was the Labour party's settled policy. [HON. MEMBERS: "Hear, hear."] Hon. Members on the Front Bench below the Gangway agree.

I took advice—and, of course, a Conservative must take some note of advice given by the right hon. Member for Sedgefield, who is now the Prime Minister. The advice was that the Labour party did not see the matter as a priority. Indeed, I think that Labour entirely abandoned the idea of abolishing employment agencies. I have heard Labour Front Benchers, both as Opposition spokesmen and as Ministers, express the view that the flexibility of the United Kingdom market, with employment agencies and employment businesses, is one of the things that make our labour force and our labour market work so well. That is why I was so astounded to read what the Government propose. They propose to restrict the services that may be provided by employment agencies and businesses, to regulate the way in which those services are provided and to restrict or regulate the charging of fees. That may not mean a great deal to those listening to me, so let me give an example.

Let us suppose that the Government announced that they would take powers enabling them to decide where British Airways could fly, how many staff would be allowed, how much should be charged for tickets and how much commission should be paid. Let us suppose that the Government said that was the law of the land. Surely, with new Labour, the House of Commons would not lie down and say, "That is fine. Let the Government, by regulation, do what they like with the industry."

Labour Members tend to say that employment agencies are not regulated. In fact, they are the most regulated businesses that we have. No other type of business allows the Department for Education and Employment to send an inspector to go through every bit of paperwork. That is intended to protect the workers.

Mr. Hope *rose*—

Mr. Bruce: The hon. Gentleman—to whom I shall give way in a moment—will probably say, "£1 an hour. It is the same story that he tells us all the time." Of course that is not acceptable. The Federation of Recruitment and Employment Services would be entirely against it. It would probably drum out—probably has drummed out—the organisation about which the hon. Gentleman is going to complain. This part of our labour market is already highly regulated.

Mr. Hope: I am still not sure whether the hon. Gentleman is speaking on behalf of his South Dorset constituents, or on behalf of the network of employment agencies that recruits him as an adviser for between £5,000 and £10,000 a year. Does he believe that a supposedly highly regulated employment agency market should allow agencies in my constituency—I am talking about working time directive specifications on holiday pay—to deduct 35p an hour from existing hourly wage rates in order to—

Mr. Bruce *rose*—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. If the hon. Member for South Dorset (Mr. Bruce) gives way to another hon. Member, it is for me to judge whether the hon. Member to whom he has given way has exceeded his position. I cannot have two hon. Members on their feet at the same time.

Mr. Bruce: I am grateful, Mr. Deputy Speaker. I rather suspected that the hon. Gentleman would speak on issues other than those relevant to the Bill. Of course I accept that, whatever the Government decide are the rights of employees, that must apply to all employees. I am against the possibility that, as a result of special regulations being introduced, employees who currently work for employment agencies might be disadvantaged, might lose their jobs or might be changed around more regularly than the employment agency would want.

Mr. Ian McCartney *rose*—

Mr. Bruce: Will the Minister tell us the Government's intention towards employment agencies? Is it to go back to old Labour's decision to get rid of them, or at least to restrict them to such an extent that they would not even be allowed to have long-term workers working under a temporary contract?

Mr. McCartney: I shall deal in my winding-up speech with the general issues that the hon. Gentleman raises. Let us have clarification. Is he supporting the minority of agency employers who are illegally deducting pay earned by a worker, for the purpose of getting around the legal commitment to pay workers holiday pay? Is that what the hon. Gentleman supports?

Mr. Bruce: The hon. Gentleman is talking nonsense. There is to be a legal requirement to pay holiday pay to

[Mr. Bruce]

employees who work for an employer for longer than three months. That will be a legal requirement. In France, an employer is not allowed to keep an employee on a temporary contract for more than three months. As a result, such employees are let go after three months and another temporary employee is taken on. Under the Government's proposals, that will be the legal position for an employment agency. Provided that a person is not employed by the same organisation for more than three months, the employer will not have to pay holiday pay. The hon. Gentleman should know what his own regulations require.

Mr. Hope *rose—*

Mr. Bruce: No, I shall not give way again to the hon. Gentleman. I am running out of time, so I shall make my own speech in my own way.

I am grateful to the Minister for informing us that he will deal with the Government's intentions towards employment agencies. More than 1 million people use such agencies to get a job. I can assure the House that the vast majority of them want to be on temporary contracts, or use a temporary contract as a means of getting a permanent job in the same company. That is how employment businesses make their money—they get a fee for placing people in permanent employment. That is what happens, whether or not the hon. Member for Corby (Mr. Hope) believes it to be the case.

Lorna Fitzsimons *rose—*

Mr. Bruce: No, I am sorry, I cannot give way because of the time already taken up on interventions.

I shall touch briefly on other issues in the Bill. Of course it is right to say that the Government have decided to force people into negotiations. The Bill contains a raft of regulations telling companies how to do so, even if they are unwilling to negotiate. Our Government have helped NATO to force Kosovars and Serbs into negotiations, but we all know what happens when employers are forced to recognise a trade union and forced to negotiate with a group of people with whom they do not want to negotiate.

Of course, the two sides can keep to all the rules and regulations, but the situation of employees will not be improved unless the employers are a willing party to the negotiations. The Labour party is trying to pay back its trade unions—a labour of love, or the love of Labour—I am not sure which. Frankly, that will not work.

On maternity leave, we heard that 97 per cent. of Asda employees, when given maternity leave on a voluntary basis, return to their jobs. That is not the figure for statutory maternity pay. Almost all women who leave to have a baby use the system of statutory maternity pay and the employer's obligation to keep their job open. They know that it is a right, so they ask their employer to keep their job open, whether or not they intend to return to work. That stops a permanent employee being taken on, which is great for employment agencies, I can assure the House. The employer takes a temporary worker from an employment agency for that period.

A week before they are due to return to work, women tell their employer, "I have had the baby and everything is fine. I never planned to go back to work. I am quite happy staying at home with my child," and they give their notice to—

Mr. Hope: On a point of order, Mr. Deputy Speaker. I should be grateful for your guidance, as I am not sure of the rules of the House. If an hon. Member is currently in receipt of financial remuneration from a recruitment agency, is he entitled to speak in the House, even though he has declared that?

Mr. Deputy Speaker: We had quite a lengthy declaration from the hon. Member for South Dorset. He placed his position before the House and therefore, I believe, conformed with the rules that the House applies in such a situation.

Mr. Bruce: I should be very pleased to sue the hon. Member for Corby if he wants to make that allegation outside the House. He does not like what I am saying because I am getting to the nub of the matter.

When a woman is told that she can have three months' statutory maternity leave, unpaid, at the end of her paid maternity leave, the sensible woman—especially if she is having her first child and is not sure whether she wants to stay at home with the child—will say to her employer, "Yes, I want to take up my right to three months' leave." The employer will be told only a week before the end of that three months, "Sorry, I am not coming back. I never intended to come back, but I made sure that you kept my job open." The cost of that in teaching, for example, is that supply teachers and specialised teachers must be brought in to cover an employee's absence on maternity leave.

I am sorry that I gave way to hon. Members, as I wanted to make several other points. The practical way to deal with matters in the workplace is by agreement. I entirely concur with any hon. Member who says that the right way for an employer to proceed is by giving employees the rights that we all think good employers should give. It is in the employers' interests to do so. However, the more the Government try to force employers to do so, the more the Government will find that the regulations are forcing employers to do things that a decent employer would not want to do.

7.27 pm

Mr. Michael Clapham (Barnsley, West and Penistone): I shall begin by declaring an interest. I am a trade unionist at present; I have been a trade unionist since I started work. For 17 years before entering the House, I was a regional, then a national, officer of the National Union of Mineworkers.

Mr. Fabricant: On a point of order, Mr. Deputy Speaker. As the hon. Gentleman has honourably declared his interest, should not other hon. Members who have spoken before him and who are also members of trade unions have declared their interest as well?

Mr. Deputy Speaker: We are getting off course. It is not usual to have such challenges across the House. If there is any serious cause in the mind of any hon.

Member for complaint about advocacy rules, that is a matter to be taken up with the Parliamentary Commissioner for Standards, not thrown across the Floor of the House.

Mr. Clapham: I agree with the point made eloquently by my hon. Friend the Member for Sunderland, North (Mr. Etherington) when he said that trade unions are a force for good, and that trade unions are perhaps the best organisation devised by man to look after the welfare of his fellow man—

Mr. Ian McCartney: And woman.

Mr. Clapham: Indeed. Within the term "men", I was referring to women as well.

Trade unions are a force for good. I noted that, in the speech of the hon. Member for Buckingham (Mr. Bercow), there was an anti-trade union slant throughout. The speeches from Opposition Back Benchers have generally been anti-trade union. That does not serve the purpose of the debate.

Mr. Bercow *rose*—

Mr. Clapham: If the hon. Gentleman will hang on for two minutes, I will give him a chance to intervene.

The anti-trade union prejudice of Conservative Members does not add to the debate; in fact, it detracts from it. I hope that Conservative Back Benchers will speak in a purposeful rather than a prejudiced way.

Mr. Bercow: May I confirm my belief that the trade unions, over the years, have often done much good? I support the good that they have done, and I believe that no one did them more good in terms of the legal framework within which they have come to operate than my noble Friend Lord Tebbit of Chingford.

Mr. Clapham: The framework to which the hon. Gentleman refers—that set up from 1980 and during 1982, 1984, 1987 and onwards—restricted trade unions and has caused much of the problem that we have to deal with. If he looks at research on trade unions that has been done in this country and in America, he will see that companies that consult trade unions and work closely with them have higher productivity. The framework that was set up during the 1980s militated against that, and much of what we have to deal with has come about because of that framework.

My hon. Friend the Minister has worked hard to ensure that the Bill has come before the House today. It will redress many imbalances, for example those of inequality and injustice in the current industrial relations framework. That will happen because of the recognition that trade unions are a force for good. If the hon. Member for Buckingham would care to look at some of the work that trade unions have done, and are doing, he would realise that.

I refer the hon. Gentleman to some of that work. For example, trade unions ensure a framework of security for the member and his family by providing the opportunity for him to be able to sue a negligent employer. That creates a situation in which the employee feels secure. Trade unions provide a service on the shop floor through their work in health and safety. That has created a much safer workplace. I believe that the work that has been done since 1974, when health and safety representatives were established, has made the shop floor a much safer place.

Trade unions have also done much to ensure standards of pay and best practice. Most of all, they have added to competitiveness. They have done that because of the work that they do with employers in supporting progressive technology. If the hon. Member for Buckingham looks at the—

Mr. Bercow *rose*—

Mr. Clapham: No, I will not give way again. The hon. Gentleman has had his chance.

If the hon. Gentleman looks at the research, he will see that companies where trade unions are active generally invest in new technology. Overall, trade unions are a force for good.

There is perhaps a greater need for trade unions today than at any time. I refer hon. Members to Sunday's report in *The Observer* on the new Treasury paper. No doubt my hon. Friend the Minister of State will have read part of that paper, which pointed out that the class barriers in the United Kingdom are more entrenched than at any time since the beginning of this century. That is the result of 18 years of Toryism and the kind of legislative framework that the hon. Member for Buckingham referred to. That framework put a straitjacket on industry and prevented trade unions from being able to work constructively with employers.

Mr. Bercow *rose*—

Mr. Clapham: No, I am not giving way.

The Treasury paper suggests that, at the same time, there are 1.3 million more children living in poverty than there were in 1979 and that, overall, 4.3 million children live in households with an income below the poverty line. Those households make up 13 million people living on an income below the poverty line.

I point out to the hon. Member for Buckingham that a survey carried out recently in my constituency, and across the Barnsley borough, showed that the average income on the council estates was between £5,000 and £6,000 per annum. The average income across the borough was £11,000 per annum, compared with an average income in Yorkshire and Humberside of £18,500 per annum.

From that comparison of the figures, the hon. Gentleman can see the deprived state that part of my constituency and the Barnsley borough are in. They are in that state because of the previous Administration, who closed down the collieries without any thought for the communities and without giving any help to regenerate those communities. Those communities now live in a deprived state.

This Government, through the coalfields task force, are setting out to regenerate those communities. That is the legacy that we were left by the previous Government. The Bill will help to redress some of that, because it helpfully gives trade unions opportunities to work with employers. Trade unions are, by their nature, redistributive and that will add to the regeneration. The Bill is enormously important.

[Mr. Clapham]

We know that the nature of a class society is such that—*[Interruption.]* The hon. Member for Buckingham shakes his head, but we know that the nature of a class society is such that it breeds inequality because it feeds off inequality. What happened over the period that the hon. Gentleman talked about—trade union legislation was introduced by the previous Administration from 1980 onwards—militated against trade unions being able to work with employers to ensure that wealth was created and that that wealth could be equally shared within society. Consequently, we are experiencing the kinds of inequality to which the Treasury paper referred. The Bill will help to remedy that situation.

The hon. Member for South Dorset (Mr. Bruce) referred to employment agencies and their work. No doubt he will have seen references in this week's press to agency workers employed on North sea rigs being paid 81p an hour for working long hours—illegal hours. Those people were employed via an agency. The Bill—and clause 23, to which he referred—has been introduced to control that sort of exploitative practice.

Mr. Ian Bruce: Will the hon. Gentleman give way?

Mr. Clapham: No, I am sorry. I am not giving way. *[Interruption.]* I am not giving way at all. Conservative Members seem to think that—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Gentleman has told the hon. Member for South Dorset (Mr. Bruce) that he will not give way and, therefore, I would not want him to pursue his intervention from a sedentary position.

Mr. Clapham: Conservative Members seem to think that employment practices—

Mr. Bruce *rose—*

Mr. Clapham: I am not giving way, so the hon. Gentleman may as well take his seat.

Conservative Members seem to think that previous legislation resulted in good employment practices. They ought to consider lorry drivers. If they went through the archives in the Library, they would see last week's report by the BBC in Yorkshire on lorry drivers' hours. It found that lorry drivers worked more hours than at any time in the past—in excess of 84 hours a week—and slept in bunks at the back of their cabs. One lorry driver likened that to office workers—or Members of Parliament—being chained to their desks and, after a day's work, being forced to sleep under them. Employment practices in some industries are abysmal. The Bill will help to address those injustices.

I am critical of some key planks of the legislation, although in a comradely way, because I know that the Minister of State has done a hell of a lot of work to bring the Bill before the House. One of my main criticisms is of clause 15, which deals with the dismissal of people who have been on strike for eight weeks. The clause enables employers to get rid of their striking work force after eight weeks.

The Bill requires the employer to take procedural steps to resolve the dispute. There is a difference between procedural steps and substantive proposals to resolve a dispute. In my estimation, substantive proposals are required, so I ask my hon. Friend to reconsider that clause with a view to requiring that, after the ninth week of dispute, if no substantive proposals have been made, the matter should be referred to the Central Arbitration Committee as though it had been referred by the employer and the trade unions. The CAC should be directed to reach a fair settlement of the dispute. That would be a much better procedure than dismissing striking employees after eight weeks.

That is my major criticism, but, overall, I welcome the Bill as a step forward. It will ensure that best practice is used throughout industry, which will help Britain's competitiveness.

Mr. Deputy Speaker: Order. If I may say so, some comradely spirit will be required if a great many of the hon. Members on the list are to catch my eye. I hope that, if possible, hon. Members will show some restraint within the time limit.

7.42 pm

Mr. Michael Fabricant (Lichfield): I oppose the Bill, but I assure the hon. Members for Barnsley, West and Penistone (Mr. Clapham) and for Sunderland, North (Mr. Etherington) that I do so neither because of an inveterate hatred of trade unionism nor to support the class system, which I do not think exists in this day and age.

Mr. Ian Bruce: In a comradely way, I am sure that my hon. Friend would allow me to mention that people who work for an employment agency must have a contract of employment within 24 hours, whereas other people have to have a contract within three months. That shows that employment agencies are regulated.

Mr. Fabricant: I am grateful to my hon. Friend for putting that important point on the record.

It is clear to me that there would never have been the improvements in employee conditions and welfare that have occurred without the growth of the trade union movement at the turn of the century. It is also clear that the shift away from worker exploitation to caring capitalism has come about mainly because of the work of the trade union movement at the end of the 19th century and the beginning of the 20th century.

The problem with the Bill is that it reflects the nature of the House of Commons. The House is increasingly made up of individuals who, before coming here, were never involved in wealth creation. Being a student of the economy is no substitute for working in the economy. As an economics graduate, I can certainly attest to that. I have to tell those hon. Members who were first politics graduates then worked for a think tank—an increasing number, I am sad to say—that they are even further removed from the real world.

I wanted to take part in this debate because I started an electronics manufacturing company 12 years before I came to the House. By the time I left that company—*[Interruption.]* I do not know why the hon. Member for Falmouth and Camborne (Ms Atherton) is laughing, because I am talking about keeping people employed in jobs. Her constituents will not find it amusing when unemployment increases in her area. I am participating in the debate because I want people to stay employed.

By the time I left that company, we had customers in 48 countries around the globe. That involved motivating and caring for our staff and, from time to time, negotiating with trade unions. I speak not from a brief prepared by others, but from experience.

To my mind, the Bill is well-intentioned, like so many Labour Members. However, like so many Labour Members, it is also hopelessly naive. Far from protecting employees, it will destroy their job prospects. It will work against those seeking jobs in the future—new deal or no new deal. Like much of the Government's legislation, it will take time for its ill-effects to be experienced. That is why it is so dangerous. That was recognised by the Prime Minister, who said as much to the party faithful in Manchester a few days ago when he warned them of a tough time ahead.

The House of Commons Library has calculated that the Government have already added £40,200 million to the social and tax bill over the life of this Parliament. Often, that has been at the expense of small businesses. The latest such move has been the introduction of a tax to pay for the new Food Standards Agency. Lord Sainsbury will have to pay the same flat-rate food poll tax for the shops he owns as little corner shops in villages in my constituency and that of the hon. Member for Falmouth and Camborne will have to pay. The same applies to the legislation before us. The Bill will hit small firms with as few as 21 employees, and it will hit the unemployed.

At a time when the Government, quite rightly, want to get the long-term unemployed back to work, why are they reducing the qualifying period for unfair dismissal from two years to one year? They compound the mistake by increasing the maximum limit on awards for unfair dismissal from £12,000 to £50,000. I realise that, to the Secretary of State, those figures are but a drop in the ocean, but let me tell him and the Minister that a £50,000 fine creates a major dent in the cash flow of a small company. It is even more likely to force the company into liquidation. What price jobs then?

Do the Government not realise that this measure will present a major disincentive to employing new people? Do they not realise that no employer will want to recruit the long-term unemployed if he faces a potential £50,000 fine if he gets it wrong? If he employs someone who makes a mistake, is it not more likely that he will sack the employee before the 12 months are up rather than give him a second chance? This measure, further compounded by the effects of clause 3(1)(b), will result in few employers taking on long-term unemployed people unless they come with the highest of references, which is unlikely under the circumstances.

The chairman of the Federation of Small Businesses has said:

> "Small firms are now being over-regulated to such a degree that it is too costly and too risky to employ staff. The provisions of the Employment Relations Bill will place them under further pressure."

The Government have yet to learn the lesson preached by Abraham Lincoln: "You cannot make a poor man rich by making a rich man poor." This legislation will merely succeed in keeping the poor man poor.

What about enforced trade union recognition? I believe that there are many advantages in negotiating with a single, responsible trade union rather than with individual groups of employees. That is true partnership. Partnership, like marriage, cannot be imposed on an unwilling partner: both must willingly consent. That is probably why I never got married. The Bill is not about partnership: it is not a basis for trust or for any working relationship.

Even the new Labour convert, Adair Turner, Director General of the CBI, wrote in the *Financial Times*:

> "Good employee relations should be built on trust and this is not best fostered if collective bargaining has been imposed on an employer by a trade union. Collective bargaining can work where it has two willing partners, but not where there is only one. No real improvements in industrial relations occurred the last time we had compulsion in the 1970s and indeed the legislation proved to be unworkable."

Those are his words, not mine.

The Engineering Employers Federation believes that the legislation will create the climate for increased industrial action, and the Institute of Directors expressed similar reservations.

The new Labour Government and the current Secretary of State in particular believe in wealth creation. They do not want to return to the bad old days of the 1970s and before, yet the Bill creates the climate for just that. Far from heralding a new epoch, it merely turns the clock back. I hope that Rupert Murdoch, who bought *The Times* when it was bankrupt, moved it from Fleet street, broke the luddite print unions and created a new era of newspaper production at Wapping, is aware of what the Government are doing. Had the Bill been an Act back in the 1980s, *The Times* would still be bankrupt and Wapping would remain an area of dereliction.

The Secretary of State rightly believes that wealth creation is more important than wealth redistribution. Unfortunately, he does not know how to create wealth and refuses to take advice from those who do. If the Secretary of State had run a company, large or small, instead of lecturing in law at Newcastle poly for 15 years before coming here, he would not be introducing the Bill.

Everywhere one looks in the Bill, there is a further burden of paperwork. Records must be kept on training, on leave, on ballots and so forth, and just to twist the knife still further, when trade union ballots are held, 50 per cent. of the cost must be borne by the employer.

Those measures are damaging enough for large companies, but why cripple small firms at birth—why not exempt small companies employing fewer than 50 employees? The Confederation of British Industry, the British Chambers of Commerce, the Federation of Small Businesses and the Institute of Directors have all asked the Secretary of State to raise the threshold. Why will he not listen? What analysis has his Department made on the percentage on-costs of the measure on an average business employing 20 people? Has such an impact analysis been prepared?

The other worrying aspect of the Bill is its dependence on future regulation and, as my hon. Friends have said, omission of detail. The Bill is equivalent to a blank cheque. No finance director in his right mind would issue a blank cheque to a supplier, yet the Secretary of State is asking the House of Commons to give him just that.

Clause 22 provides no details as to how the Central Arbitration Committee will work. Who will be its members exactly? What will be its relationship with ACAS? Proposed new section 263A of the Trade Union and Labour Relations (Consolidation) Act 1992 says that the chairman of the committee shall appoint a panel or panels. How many panels will there be? Is this just

[Mr. Fabricant]

another employment scheme for Tony's cronies? If so, it will be little compensation for those who do not find jobs or lose jobs as a result of the legislation.

Even the provisions for parental leave are left to regulations, so Parliament will not have the opportunity to scrutinise or amend an important part of the Bill. There are many unanswered questions. How old will a child be when parental leave is available? Will evidential proof be required, involving more paperwork? Will notice be required?

All that uncertainty creates instability in an industrial climate that is already volatile and weak. When the Secretary of State meets BMW's new chairman, Joachim Milberg, to discuss Government aid to help modernise Longbridge, will he tell him of the legislation now going through Parliament? Does he think that Mr. Milberg will be impressed? One of the reasons why BMW bought into Britain was to avoid the draconian employment legislation that has already brought stagnation to the German car industry. Will the Secretary of State tell Mr. Milberg that the Government have compromised their commitment to full employment in Britain for the sake of Labour's commitment to Europe?

So, there we have it—a Bill with sufficient detail to frighten all the employer organisations. What frightens me, however, is what the Bill does not say. Without Margaret Thatcher's reforms in the 1980s, I would not have been able to build up my company which, directly and indirectly, employed more than 1,000 British people who might otherwise have been on the dole. The Bill does not build on that; it turns the clock back. It makes nonsense of the new deal. Yet the plodding herd opposite will be expected to drift into the Aye Lobby tonight like so many cows being called to the milking parlour—and with about as much thought.

No doubt when the Minister is questioned about the Bill in future, he will get a pager message and say in defence, as others have done in defence of other Bills: "This Bill had the overwhelming support of Parliament." God help this Parliament and God help those in future who will seek fulfilment through being employed.

7.56 pm

Judy Mallaber (Amber Valley): I certainly will not drift into the Lobby tonight. I shall support the Bill with great enthusiasm, as I welcome its provisions. Having heard the speeches of Opposition Members, I am also looking forward to the next election, as I shall have a great time explaining why my Conservative opponent seems to want to get rid of paternity rights, maternity rights and rights for part-time workers, trade unionists and individual workers in the work force—at least that seems to be the pattern of Opposition speeches.

I shall focus on family-friendly policies and flexible working. I welcome the Bill's commitment to women's rights—a matter that has concerned me for many years. Flexible working patterns must be backed by the security of individual rights, and trade union organisation in the workplace can help to negotiate sensible arrangements for the benefit of employees and employers. The Bill provides a sensible framework for employment that will take us into the next century.

I took a note of the opening speech by the right hon. Member for Wokingham (Mr. Redwood). He said that we needed to move to the free and flexible arrangements of the next century. The Opposition have not caught up with this century. The right hon. Gentleman said that we must not legislate too far too fast. He was talking about a legal right for men to take leave when their children are born. If he thinks that there should be no such legal right in the next century, I should like to know which century he lives in.

At last we have a Government who have caught up with the reality of people's lives. They realise that family life no longer means a man in one employment for 40 years and a woman at home with children. We need a modern employment system and a modern welfare system that match the reality of men and women changing jobs throughout their lifetime, sharing work and home responsibilities and working different hours at different times of their lives. Achieving that will be a complex process, of which the Bill is a part.

It is a long time since women were forced to give up work when they married. It is a long time since 1945, when nurseries were closed down when the war ended because women were expected to give up paid employment and go back home. Hon. Members will know from their personal lives and those of their families how long it is since things changed and how slow Governments have been to catch up. Many employers have introduced flexible working patterns, but others have not. The Bill seeks to accommodate them with sensible measures and additional encouragement.

Women have always juggled different parts of their lives—their home and work responsibilities—but many men would also like the opportunity to see their children grow up. That is why the working time directive is so important in moving against the long hours-short hours culture that bedevils Britain and is unique to it.

The Bill is a modernising measure. As someone who worked for the National Union of Public Employees for many years, representing low-paid women workers, I am delighted that the issues that I raised when they were regarded as unfashionable—a minimum wage, full-time rights for part-time workers, child care and family-friendly policies—are now part of our strategy and that they are seen not as being nice to employees, but as central to economic policy.

Mr. Bercow: Will the hon. Lady give way?

Judy Mallaber: No; I do not have very much time, as many other hon. Members wish to speak.

Earlier in the debate, hon. Members—particularly my hon. Friends the Members for Rochdale (Lorna Fitzsimons) and for Glasgow, Pollok (Mr. Davidson)—stated clearly why family-friendly policies are necessary if we are to have a modern economy, modern businesses and modern employment conditions. The fact is that employers require a highly motivated, flexible and well-trained work force. Moreover, businesses pay a cost if they lose employees because they have not been sufficiently flexible in allowing employees to stay in employment.

I have run an organisation, on a tight budget, of 20 employees. I did what I could to be flexible in assisting employees when they had a domestic crisis. If their request was daft, I told them so, and that they could not have the time off. I should say that, as the Bill does not contain any daft provisions, passing the Bill will not encourage problems. The point is that I did not want to lose staff members who were trained and good employees because I could not provide them with a flexible employment relationship.

Mr. Bercow: Will the hon. Lady give way?

Judy Mallaber: No. I have been asked by other hon. Members to leave sufficient time for them to speak. The hon. Gentleman will know that I allowed him to intervene in my speeches in Committee in the past, and that I am, therefore, perfectly happy to debate with him. However, I must make some progress in my speech.

Mr. David Ruffley (Bury St. Edmunds): Stepford wives.

Judy Mallaber: I should like to make a few comments on the provisions on part-time workers.

Ms Candy Atherton (Falmouth and Camborne): On a point of order, Mr. Deputy Speaker. Is it acceptable for an Opposition Member to refer to women Members, and other hon. Members, as "Stepford wives"?

Mr. Deputy Speaker: I do not believe that that has entered the lexicon of unparliamentary language. Nevertheless, I deprecate any immoderate language in the House, particularly if it comes from a sedentary position.

Judy Mallaber: I have worked on employment issues longer than most hon. Members in this Parliament, including some of our Front Benchers and many of my fellow Back Benchers. I am also a member of the Employment Sub-Committee of the Select Committee on Education and Employment, which is examining in detail the Bill's provisions on part-time workers. The House may even be interested to know that the hon. Member for Altrincham and Sale, West (Mr. Brady) and I are engaged in a debate on how both our views can be accommodated in the report on part-time workers, which will soon be published and deal with many of the points that Conservative Members raised on the details that should be included in the regulations. I am therefore speaking not as a Stepford wife, but as someone with many years of practical experience on the issue.

As a matter of social justice and fairness, there can be no justification for treating part-time workers worse than other workers, simply because they work fewer hours. Since 1989, the percentage of part-time jobs has increased from 24 to 29 per cent. of all jobs. People in part-time jobs comprise a major part of our work force, and I welcome any proposals to prevent discrimination against them.

I should like to comment on provisions in the Bill that have not been mentioned so far in the debate. They provide for codes of practice and guidance on facilitating flexible organisation of working time taking into account the needs of both employers and employees. It is beneficial to employers if they develop flexible working arrangements. The health service provides a topical example—which applies to both the private sector and the public sector—of the benefits of flexible working arrangements.

I should say that positive working arrangements have already been developed in the health service, in other public services and in the private sector. Parts of both sectors have also developed arrangements that are not so flexible. The Employment Sub-Committee has taken evidence on examples of both good and bad practices in both sectors.

The nurses issue is particularly topical. We know that we have a nurse shortage, and have consequently started a nurse recruitment campaign. We know also that nurses' pay and conditions are part of the problem. In a parliamentary question, which was answered on Monday, I asked what evidence the Department for Health has obtained

> "concerning the extent to which inflexibility in working hours deters nurses from taking up employment".—[*Official Report*, 8 February 1999, Vol. 325, c. *121*.]

I am pleased to note that the Department has conducted a survey on the matter, and that reports on it will soon be issued.

I should like to cite an example of the importance of flexible working arrangements in my own area—not from my constituency, but in Derbyshire—although I cannot provide the details, as they are in dispute. The case involves an E-grade nurse who is seeking to return to work after maternity leave. She cannot afford a full-time nursery place, so she will have to rely on a mix of nursery care, child minders and other family arrangements. She will also have to place her child in a nursery for two days a week if her overall plans are to work, enabling her to return to work. She is quite happy to work a shift pattern or to work varied shifts. However, she will have to tell the nursery on which two days of the week she will require nursery provision. One would think that—with 24-hour working and rotating shifts—it would be perfectly easy to tell her on which two days she will have to work.

The nurse has come up against comments such as, "We all managed. We all had to put up with it. You can't expect the ward to meet your personal needs. You're a nurse; you put up with it." She said:

> "I want to return to work and given the current shortage of nurses I felt the trust would welcome me. All I am asking is for a little flexibility in order that I can combine motherhood and a full time post."

We have a nurse shortage, but that nurse cannot return to work because of a simple refusal to consider flexibility.

Last week, I spoke to the chairwoman of the nurses and midwives Whitley council staff side, who told me of her general practitioner—a trained surgeon who cannot find a part-time job as a surgeon. Although she could accept a junior grade, she cannot find a position at her level that would utilise her skills. She is now working as a GP, rather than using the training for which we have paid. The situation is ridiculous; it is absurd.

There are many other positive examples, both in the public services and in my area, of attempts to provide child care and flexible working arrangements. The private sector also provides many positive examples of such provision and arrangements—some of which were mentioned by the Secretary of State in his opening speech, and others of which have been cited to the Select Committee.

Family-friendly policies assist employers and employees. No one is pretending that we can make arrangements that will always suit everyone, as everyone's

[Judy Mallaber]

needs cannot always be met. We want to ensure that it is possible to find practices that suit both employers and employees.

Recently, *The Independent on Sunday* examined the matter of how to enable flexible working and how to meet the needs of both employers and employees—as the Bill will help us to do. The article stated that the president of the Association of Management Consultancies and group MD of Hay Management Consultants believed that child-friendly hours need not be a problem in many businesses. She said that some jobs would be more appropriate for such practices than others. We all know that. I do not know whether we could job share, for example, the Prime Minister's job or the Secretary of State's job. The association's president continued:

> "The challenge for companies is that a lot of people haven't even thought about it . . . Some companies just have not got the creative mindset to make it work."

The health trust that I mentioned did not have a creative mindset.

In the Bill, we are seeking to provide some legislative rights. However, in other spheres, we are encouraging employers and employees to have a creative mindset, which is what we will need if we are to deal with modern conditions, modern family patterns and modern working patterns, so that we can go forward into the next century, to the benefit of everyone.

8.9 pm

Charlotte Atkins (Staffordshire, Moorlands): For too long, the central fact of British economic life has been job insecurity. The legal obstacles to treating workers as disposable items was entirely swept away by the previous Administration. For many people, work has become nasty, brutish and overwhelmingly short. In such an industrial environment, there is little incentive to invest in employees' skills. United Kingdom industry invests much less per person than does much of European industry. Our investment per employee is less than half that in Germany and two fifths less than in France. Labour Members recognise that there is no future in a low-skill, low-wage economy. It just creates a downward spiral, with industry having to cut pay and conditions ever more to operate profitably as the supplier of low-value-added goods and services.

British productivity is 40 per cent. lower than in Germany and 20 per cent. behind France and Italy. Do Conservative Members believe that that shows the success of their policies to create more competitive industry?

Mr. Fabricant: The hon. Lady asks us about productivity. While some of us were involved in production, she worked for a trade union. How can she talk authoritatively on the subject? *[Interruption.]*

Mr. Deputy Speaker: Before the hon. Lady continues, may I encourage the colloquium below the gangway to cease? There is a disturbance going on that is preventing proper debate.

Charlotte Atkins: Yes, I worked for a trade union, but the figures that I have quoted come from the Conservatives' White Paper on competitiveness. You have demonstrated that UK industry does not have a proud record on competitiveness. You have talked eloquently—

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Lady again, but hon. Members who have been here for a while must remember the correct forms of address.

Charlotte Atkins: The hon. Member for Lichfield (Mr. Fabricant) has spoken eloquently about the importance of competitiveness, but the figures show that Conservative policies on the issue have not succeeded in increasing industrial productivity. If we are to break out of this spiral of decline, we must create partnerships at work, giving every individual rights to decent minimum standards and fairness at work that are enforceable by law. It is clear that the voluntary way has not succeeded.

That makes economic as well as moral sense. How can commitment and flexibility be encouraged when employers ignore the views of their employees on such a fundamental issue as establishing a collective voice at work? A huge gulf exists between the best employers and the rest. The Bill will help to promote good practice and narrow that gap. The voluntary route is not a way forward.

Mr. George Stevenson (Stoke-on-Trent, South): Would my hon. Friend care to refer to the situation at the Stoke potteries, where 250 people were locked out in early December? They have not been paid a penny since and have now been arbitrarily sacked by the employers. That is the Conservative way.

Charlotte Atkins: I am well aware of the situation. My hon. Friend and I have discussed the issue many times. I am outraged by such behaviour, but unfortunately it is often typical.

The majority of the most successful companies tend to be unionised. Some 88 per cent. of the top companies recognise unions. In my constituency, Blue Circle negotiated a ground-breaking agreement called the "Way Ahead", covering 2,000 employees in 10 plants. It provides for a pay increase of 0.25 per cent. above inflation over three years, and gives job security with no compulsory redundancies. There is proper training to increase the skill base and retraining when necessary. There is also real job enrichment, enabling employees to reach their full potential. Four members of staff are being sponsored to do degrees at Stafford university and the Open university. That commitment has been created by both sides in forming a partnership.

Job security is central to improved productivity. Shop floor employees are far more willing to suggest ways to cut repetitive tasks or to identify wasted time if they know that the resulting improvement will not mean that they lose their jobs. Alan Hardy, Blue Circle's business process review manager, says:

> "You don't build a partnership based on trust if you don't recognise the trade unions. We want to work with the unions to improve the business. That's the way to provide real job security."

The "Way Ahead" deal is more than just a long-term pay deal; it is a change of thinking away from the traditional adversarial approach. That is the spirit of the Bill.

These issues are not just for big employers. Marling Ltd. is a medium-sized firm in Leek producing webbing products, such as car seat belts and safety harnesses. It is also happy to be unionised. Its partnership with its employees has led to innovative ideas coming from the shop floor to improve productivity. When ideas are put into practice, the employee who thought up the idea is rewarded. Everyone in the firm benefits, as the future competitiveness of the company is vital for job security in an industry that, sadly, has already lost many jobs in Leek. Such partnership is important in large and small companies.

The family-friendly policies in the Bill will build on the excellent work already achieved by the Government, including the working families tax credit, the national child care strategy, increased child benefit, help for disabled people and support for carers. That should be welcomed, because the Government recognise that there is more to life than just work.

Mr. Bercow: The hon. Lady has mentioned family-friendly policies. Detail is clearly important. What is her interpretation of new section 81, described in paragraph 140 on page 35 of the explanatory notes to the Bill? It talks about the circumstances in which collective and work force agreements can take precedence over the regulations to be issued.

Charlotte Atkins: If I am fortunate enough to be selected for the Standing Committee, I shall be happy to explore that matter with the hon. Gentleman. It is sad that Conservative Members tend to sneer at family-friendly policies. That is surprising, given how many of them have decided to resign and spend more time with their families. I hope that they will take the issues seriously. Families will produce the young skilled men and women whom we need to be competitive in the next century.

We have seen the welcome impact of good family-friendly policies in many areas. I hope that we shall be able to give a boost to such policies by ensuring that the Bill is passed and promotes beneficial arrangements in companies, large and small.

8.18 pm

Mr. Ian Stewart (Eccles): Over 18 years, the Tory Government stripped workers of employment rights and created an unequal balance of power in law between employer and employee. The Bill takes significant steps to redress that imbalance and promote co-operation and genuine partnership at work.

Of course, most of Britain's top companies recognise unions. Of the top 50 FTSE companies, 46 do. The Bill will have to drag some firms into the 21st century, but for many the transition will be smooth, building on the consultation and bargaining procedures already in place.

The Bill covers individual, collective and family-friendly policies. I shall talk about the first two categories. Because of time constraints, I shall be disciplined and leave other colleagues with particular expertise and interests to comment on the family-friendly policies, which I wholeheartedly endorse. I wish that such policies had been in place when my family were young. I am delighted that they may be of benefit to my adult children.

I welcome the reduction from two years to one in the qualifying period after which a dismissal can be ruled unfair. It is estimated that between 135,000 and 270,000 employees a year who are dismissed after one to two years' service could benefit from the Bill. A number of current provisions allow employers to dismiss workers fairly on grounds of capability, including sickness, misconduct and redundancy or for other substantial reasons. Even if the qualifying period for unfair dismissal were reduced to six months—that is, restored to the 1979 position under the last Labour Government—employers with good reason who had gone through a proper procedure would not be prevented from fairly dismissing employees. The fallacy that poor workers cannot be sacked is promoted by poor managers. The change will still leave us with the highest qualifying threshold in the EU, together with Ireland. Nevertheless, the new measure, which will give an extra 250,000 million workers an opportunity to lodge an unfair dismissal claim, if appropriate, is significant.

I congratulate the Government on the substantial increase in the amount that can be awarded in cases where employees have been found to have been unfairly dismissed. The cap on compensatory awards is to be increased from £12,000 to £50,000. I am happy to admit that I lobbied the previous Secretary of State to keep the original White Paper proposal to abolish the cap. That was in the full knowledge that the median award for unfair dismissal in 1996–97 was £2,575—way below the existing cap of £12,000.

I did not put forward the argument for no cap just because I wanted to protect high earners who were dismissed; I did it for another reason. I found that, when I presented cases at tribunals—in my former life as a Transport and General Workers Union official—one element of compensation that was rarely considered during remedy discussions and calculations was loss of pension rights. Few people—including, in some notable cases, chairs of industrial tribunals—were aware of that, or of the fact that the sums involved could be substantial. I hope that awareness can be raised, and that fuller consideration will be given to it in future. I am pleased that the cap will be uprated regularly and I hope that the need for it will be kept under review.

A second area of calculation that would be more significant for lower earners is the current cap of £220 on the calculation of a "week's pay". I hope that the Government will be able to look again at the restrictive nature of the current limit. I would like Ministers to consider the method of calculating an individual's "week's pay", basing it on the last 12 weeks of salary, including any regular overtime payments.

Employees of firms of all sizes will have the right to be accompanied by a fellow employee or a trade union official in disciplinary hearings or grievance hearings about serious issues, and I particularly welcome that measure. Many workers will, for the first time, have the opportunity to call in experienced and professional trade union officials to argue their case. I understand that 740,000 employees will benefit from the measure. It will help not just vulnerable employees, but those who lack confidence. I am conscious of the fact that some employees may find a workmate reluctant to act as an advocate in their case for fear of victimisation.

I have heard employers argue that their enlightened procedures for dealing with such matters should not be disrupted. "We handle grievances fairly," they say. If that is true, employees will probably not need to request trade union representation—but they should still have the right to do so. This is an issue of fairness, freedom of individual choice and basic human rights. Whether people work

[Mr. Ian Stewart]

full-time or part-time, it is important that they have some meaningful voice in decisions about their working environment and their personal interests. If they do, they will be better motivated and more productive, which is in the best interests of their employer and the country.

I warmly welcome the introduction of the partnership fund, as I have a long-standing interest in education and training. I am an enthusiastic supporter of the university for industry and the lifelong learning initiative championed by the Government. Trade unions have comprehensive training programmes for officials and members, and they have long advocated the importance of extended training opportunities for employees as part of the collective bargaining process. I believe that Government funds for the training of employees and managers to assist and develop partnerships at work are vital. I welcome the £2 million committed to the fund, and I hope that the Government will quickly see the need to increase that progressive provision.

I wish to refer also to employment agencies, which have long been of interest to me. I am pleased that the Government are looking to improve the enforcement of employment law in that field, as it has been unchanged for 20 years. However, we have yet to have a coherent definition of who is the employer and who shoulders what responsibilities regarding employees placed with client companies by employment agencies. I accept that the issue may be outside the scope of the Bill, but I hope that it will be tackled in the not-too-distant future, and I hope that the Government recognise the prime role of agencies in this matter.

I welcome the Bill. I echo the comments of my right hon. Friend the Secretary of State that fairness at work is vital to the quality of our everyday lives. I have long believed in the need for a UK definition of social partnership that recognises and respects the differing interests of workers and employers, but also identifies the areas of agreement and trust and seeks to tackle the differences in a civilised way. As a Chinese proverb says, one hand has difficulty washing itself. Fairness at work is crucial to the development of productive individuals, productive companies and a productive economy.

Hon. Members could be forgiven for thinking that my speech is a bid for a place on the Committee to consider the Bill, and I confess that it is. However, my welcome for the Bill is sincere, and well-deserved by the Government. The Bill is an arrow pointing in the direction of a more civilised and modern approach to our industrial relations, and I believe that it is warmly welcomed by the House.

8.27 pm

Mr. Alan Johnson (Hull, West and Hessle): I declare an interest as a member of the Communication Workers Union and as someone who was happily employed by the union for 10 years. Like my hon. Friends the Members for Barnsley, West and Penistone (Mr. Clapham) and for Sunderland, North (Mr. Etherington), I have spent many years at the sharp end of trade unionism.

Labour Members have been frustrated—although the debate has not been acrimonious—by the lack of any understanding by the Conservative party of what we mean when we talk about the commitment of trade unionists. Trade unions have been a force for good—not because of union leaders or people who sit on executives, but because of the thousands of men and women who spend their own time trying to help others at the workplace.

I have come to the conclusion that there is no point in trying to strike a chord with Conservative Members. The hon. Member for Lichfield (Mr. Fabricant) suggested that hon. Members should not speak in this debate unless they had an economics degree or had started their own business. That reinforced me in my suspicion that discussing the principles behind trade unionism with the Conservative party is like trying to explain origami to a penguin. There is a complete absence of understanding.

The argument has been that the Conservative party was on some noble quest during the 1980s. I do not doubt the honour and integrity of those Tories who say that they personally believe in trade unionism and the rights of trade unions. They have said that we are not taking employers' views into account. Let me remind them that, throughout the 1980s and the early 1990s, when they imposed legislation that grew progressively worse, they were opposed by 100 per cent. of the trade union movement. There was no attempt to find consensus: we were locked out.

If Conservative Members seek to tell us that they were on a noble quest, let us remember that they were attacking not trade unions but trade unionists and the rights of ordinary people at work.

Mr. Ian Stewart: Human rights.

Mr. Johnson: My hon. Friend is right: it is a human rights issue.

Let us remind ourselves of some of the noble deeds of the Conservatives in government. They increased the length of service before workers could claim unfair dismissal, from six months to a year, and then from one year to two. They took away the right of youngsters under 21 to be covered by a wages council, and then they disbanded wages councils altogether. When they got to the nitty-gritty of their noble quest and the principled nub of their argument, they increased from six months to two years the qualifying period of continuous employment after which employees are entitled to be given, on request, a written statement of the reasons for their dismissal.

The reasoned amendment says that we should leave

> "employers and employees free to settle relationships for themselves without outside interference."

Two of the primary measures in the Bill are about union recognition and the right to take strike action without being dismissed. The hon. Member for Daventry (Mr. Boswell), whose integrity I do not doubt, said that he wanted to hear details of the dispute in Scotland mentioned by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe). I can tell him about a dispute that started when I was still general secretary of the Communication Workers Union. It started on 6 February 1997 and has just passed its second anniversary. It is exactly about the way in which workers cannot deal with these issues with employers by themselves.

The dispute, of which my hon. Friend the Minister is aware, is at Critchley Labels in south Wales. The workers were 96 per cent. unionised and the employers took full advantage of another tranche of Tory legislation—allowing the redundancy of fewer than 20 workers to go ahead without consultation—and made 10 workers redundant. Without consultation, the employers sacked a disabled employee who had worked for the company for 17 years, along with the branch chairman and the branch secretary.

The work force objected, took a ballot on industrial action and implemented an overtime ban to try to get the company not to reverse the redundancies but merely to have consultations on that possibility. The employers tore up the union recognition agreement. In the ballot, 88 per cent. of the work force voted for strike action. They took strike action. They were all dismissed. Two years later, in an area of high unemployment—my hon. Friend the Member for Islwyn (Mr. Touhig) is still trying to resolve the issues—they are still out of work.

That is the nonsense of suggesting that, without the minimum standards that we are seeking to implement, workers can fight against an employer. Critchley Labels could not happen under the Bill. We cannot make the legislation retrospective, but I would like my hon. Friend the Minister to state clearly that we are making working conditions more civilised and that the very worst of British employers, such as the management of Critchley Labels, will have to comply, perhaps belatedly, with the spirit of the Bill.

I am extremely pleased to support the Bill. I argued for this approach before I was a Member of Parliament, when I was a trade union leader. We seek partnership and consensus, but there must be basic civil rights for people at work. My hon. Friends the Members for Sunderland, North and for Eccles (Mr. Stewart) were absolutely right when they said that the issue was about improving the quality of our democracy.

The Bill challenges the concept, championed by Conservative Members, that in this country one leaves a democracy and enters an oligarchy when one puts on one's coat to go to work. That concept would be foreign practically anywhere else in Europe, and in most civilised countries, but it has underpinned industrial relations here for far too long.

I fully accept that the workplace is changing—of course we need different skills for the employment that is available today—but I do not believe, as some human resource managers are trying to convince us, that the desire of the work force for fair treatment, basic job security and minimum standards has changed. The idea that workers are desperate to spend every hour that they can in the workplace, in slavery to the employer, is ludicrous. People want jobs and understand that job security cannot be guaranteed, but they want a job as part of a life that is fulfilled away from the workplace. That is why I think that the Government have struck the right balance with the Bill.

I also believe that the Bill is a victory for those people on both sides of industry—I have worked with them over the years—who rejected the polarised positions of right and left. This is an opportune moment for an overview of the history of the past 25 years, when the approaches of the Labour party, and of the trade union movement under the enlightened leadership of the general secretary of the TUC, have changed so much.

In the past, those on the right parroted the mantra, "management's right to manage". However, those on the left were equally wrong to say that workers achieved civil rights in the workplace only when they got their union cards. The trade union movement was badly misrepresented in the 1970s because we did not move away from that polarised position. I was there: I wore those flares and that tank top. At that time, both sides of the argument rejected the minimum wage, and believed that industrial democracy and employee participation were funny things that they had on the continent but were not for British workers. Both sides chanted the mantras "free collective bargaining" and "no legally binding agreements".

We must remember that, at the end of a period that was supposed to have been the trade union movement's glam rock decade, the United States Department of Labour reported that British wage rates were 18 per cent. below the rates in France, 40 per cent. below those in Germany and 35 per cent. below those in Holland. We were the only country in Europe that had no basic, minimum standards. Pensions, redundancy and sickness—

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Johnson: No, you didn't give way when you were speaking.

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am not giving way to anyone, and nor am I not giving way. I hope that the hon. Gentleman will use the correct parliamentary form of address.

Mr. Johnson: I apologise, Mr. Deputy Speaker.

We in Britain worked longer hours than any other workers in Europe. That was not a successful period for looking after the basic civil rights of people at work.

The Bill adopts the right approach. We should consult the employer as far as we possibly can—although I have to note that employers grew increasingly embarrassed about the legislation introduced by the previous Conservative Government. In the end, the embarrassment was huge on all sides. The Bill is the way forward because it charts a course for basic human rights at work and for dignity. It turns the issue of trade union rights into one of civil rights, and I support it.

8.38 pm

Mr. Bob Laxton (Derby, North): I, too, shall begin by declaring an interest. I have been involved in small companies, and have been an active trade unionist all my life. I have also been involved on the employer's side in local government, in various roles. I believe that my experience gives me a balanced view of many of the issues relevant to discussion of the Bill.

I welcome the Bill, which will put in place provisions for employment legislation that will reflect the requirements of the most modern and efficient companies, both in this country and in Europe. Conservative Members have tended to overlook that aspect of the Bill.

I listened—at times with some incredulity—to the speeches of the right hon. Member for Wokingham (Mr. Redwood) and of certain other Conservative Members. They seem almost to hark back to times of yore. Certainly, 20 years ago, the issues that they raised would have had some credibility in some cases. They seem to hark back, however, almost to Dickensian times, an era in which some of them might have felt more comfortable and at ease with themselves.

[Mr. Bob Laxton]

In the '60s—the 1960s, not the 1860s—some areas of trade union activity sometimes left more than a little to be desired. However, the pendulum has swung excessively in the opposite direction. Until recently, poverty pay in some parts of industry was as low as £1 or £1.50 an hour. Employers were also able to exploit employees, being able to demand excessive hours and, in some cases, dangerously long hours. Zero-hour contracts remain, there is no job security and employee rights are limited.

Fortunately, all that applies to only a minority of employers. When it comes to the most efficient and effective companies in the United Kingdom, the facts speak for themselves. Some 46 of the top 50 FTSE companies recognise trade unions in their workplaces. Companies such as Tesco—Britain's biggest employer—are also heavily unionised. That has not inhibited Tesco in overtaking Sainsbury to become the UK's top supermarket. Such companies well understand the process of partnership.

Times are changing. The working time directive limits the hours that employees can be asked to work. We should all appreciate that, for the first time in British history, employees have a guaranteed legal right to at least three weeks' paid holiday every year. Measures such as those have started to change industrial relations in the UK.

The Bill provides for individual rights, collective rights and family-friendly policies, many of which will apply for the first time in UK history. Individual employees will be given better, more effective rights and protections against unfair dismissal, and, when unfair dismissal does occur, the compensation ceiling will rise more than four times higher than it is at present. That will ensure that employers who decide, quite wrongly, to dismiss employees will think two, three or four times before doing so. They will begin to think seriously about the punitive financial consequences of going down that road. My hon. Friend the Member for Eccles (Mr. Stewart) stated that, despite the current £12,000 ceiling, payments from industrial tribunals average something like £2,500, but employers will have to think carefully about how they act in future.

For employers who wish to dismiss an employee, there will be no problem if proper, professional employment practices are applied, and if the dismissal is clearly fair. Employers have nothing to fear from such a practice because justice will be on their side, as it has to be on the side of the employee.

Much has been said already about the family-friendly aspects of the Bill. Those aspects will improve maternity rights for parents and rights in relation to domestic emergencies. Despite criticism about the lack of detail on those matters, the provisions will be welcomed by employees throughout the country.

I have said how much I welcome the Bill and its raft of provisions. It is all about partnership at work, something that I regret Conservative Members do not quite understand or, in some cases, do not seem capable of getting their head round. Partnership at work works in the best UK companies—the most efficient and most effective. As a Government, we seek to introduce it and to encourage it. The Bill will drive that policy further forward, and the sooner the better.

Even before it reaches the statute book, the Bill has started to have an impact on industrial relations. There has already been a boost to partnership in the workplace. Many companies have started to grant recognition to their work force and to trade unions. Again, that is long overdue.

I shall allude to some personal experiences that I have had. As I have said, for many years, I worked in a large company—and a high-technology company to boot. I spent some dispirited and unhappy mornings outside company sites leafleting employees, who I know desperately wanted to have the protection and benefits that becoming trade union members would give them. I shall talk specifically about those companies that operate in the cable business.

All the companies that I had dealings with—including Nynex, now Cable and Wireless Communications—implacably opposed any trade union activity in the workplace. I never managed to understand where they were coming from. Such industries had a particularly skilled work force, with high intellectual and technological skills. Many companies would have benefited from the partnership arrangements that could have applied. However, in my experience, employees in those companies were not involved in partnership. It seemed that they turned up to earn their money, to do not the minimum, but to work hard. However, they were not particularly interested in giving the companies the benefit of their experience and technological skills.

If those companies embraced their work force and allowed them to have a representative role in the workplace, they would draw real benefits. Regrettably, they still hold out and seek not to recognise trade unions. I cannot for the life of me understand why they do not move forward. The only thing that I can say is that many of those companies were perhaps unduly influenced by the American experience, Nynex being basically an American company and Cable and Wireless Communications operating originally out of Hong Kong, yet being anti-union.

The Bill will assist employees in such industries and the companies themselves. I have said before that they need to embrace their work forces and draw on the skills and talents of the people whom they employ. I believe that the Bill will do much for the mutual benefit of both sides of industry.

8.50 pm

Mr. Dominic Grieve (Beaconsfield): I apologise if I seem to be losing my voice, but I am prompted to intervene briefly by the comments of the hon. Member for Hull, West and Hessle (Mr. Johnson) on the inability of Conservative Members to comprehend the arguments of Labour Members. To a great extent, I fully understand his arguments. Having spent some of my time in recent years doing employment law and representing both trade unions and employers, I can easily see that Labour Members made legitimate points in respect of many areas of industrial relations during the part of the debate that I heard.

As always in human relations, the problem is how to translate the desire to ensure good employer-employee relationships into statutory format. The problem with the Bill is that it is difficult not to regard it as a return, albeit in attenuated form, to an extraordinarily complex set of rules whereby the state intervenes to govern employer-employee relationships. Not only that, it seeks to govern them in a way quite different from the recent general thrust of employment law, which has been about individual rights. The Bill is about not individual rights but collective rights. It is that difference that Labour Members do not seem to understand, and that is why the Bill causes me so much anxiety.

Dr. Godman: Good.

Mr. Grieve: The hon. Gentleman says, "Good." Labour Members cannot have it both ways. They cannot say that it is all about partnership one moment and say, "Good," when people on the other side of the partnership say that they are anxious. That aptly represents the return to confrontational tactics fomented by the Government. I suspect that they will come to regret it.

I shall consider some specific proposals. The question of union recognition has a long history, but I am blowed if I can see any advantage to altering the current position. The proposal is a form of collective blackmail of one set of individuals, the employers, by another. In a free society, people should be allowed to make their own arrangements. Once again, instead of considering the rights of individual employees, a set of nanny state rules to govern employer-employee relations is being foisted on us. That is a retrograde step.

The second issue is the unfair dismissal of striking workers. If there is any proposal in the Bill to which I object, it is this. Employers and employees make contracts, which are now tightly defined. As I found when I represented employees, breaches of, or failure to adhere to, contracts by the employer usually led to fully justified awards of damages. Through industrial tribunals, employees can get good redress on such issues. However, with the dismissal of striking workers, who is breaking the contract?

If the contract is being broken by the employees, who are taking action outside the contract and, as a result, bringing work to a halt, that is their right. That they should then be protected for eight weeks from the consequences of their actions is a return to all the worst features of 1960s industrial relations.

I find it difficult to understand how the human rights of an employer are enhanced when he, finding that his work force have, without any justification, withdrawn their labour, cannot take the action which, to my mind, he is fully entitled to take and say, "All right, that's your choice, but I reserve my choice to go off and hire other workers who want to work under the terms of the contract." Such a form of interference returns us to neanderthal industrial relations. It will do this country absolutely no good.

Mr. Michael Jabez Foster (Hastings and Rye): Does the hon. Gentleman agree that the proposals suggest only that it would be for the tribunal to decide whether to dismiss was fair or unfair? The Bill does not suggest that dismissal is always automatically unfair, but simply leaves it open to the tribunal to decide whether a dismissal was unfair in the circumstances. It might well be that, in certain circumstances, it would be unfair.

Mr. Grieve: I take the hon. Gentleman's point, but that is a subtle variation of a simple position. Fairness or unfairness in employment, according to the terms, is governed by the terms of one's contract; however, as I believe he will agree, the provision goes quite outside the terms of the contract and goes to the justification, social or otherwise, for the action taken by employees. The state is ill-placed to start that sort of regulation, and starting down that road will not contribute to good industrial relations or to economic prosperity, on which everyone—employer and employee—is ultimately dependent.

In the same vein, I am especially troubled by that part of the Bill that deals with what are described as family-friendly policies. In fairness to the Government, and as one whose background is partly French and draws on a long history of holiday periods being set by statute, the three-week minimum holiday is not a subject on which I shall trouble myself greatly. However, I confess to having grave reservations about the three-month period set for paternity or maternity leave.

Direct experience suggests that, in small businesses, the sudden departure of an employee creates enormous problems, and I simply do not understand why the employer should have to shoulder the burden of finding and training the replacement and dealing with the attendant difficulties. The same thing happens when an employee is off sick, but that at least is human and understandable. That it should happen simply because the state has decreed that, in the event of the arrival of a child, not only the mother but both parents may have three months off, is objectionable. One of the reasons I find it objectionable is that I come from a self-employed background where such little perks and delights were not open to me—but then, I would not have expected them.

The measure is a retrograde step and is another means by which burdens are imposed on small employers that they cannot meet. The history of the past century has been of the transfer of burdens on to employers. Some of those were justified, which is why I said at the start of my speech that I accept that Labour Members have argued some perfectly legitimate themes. Every Member of Parliament should be committed to good industrial relations.

Mr. Ruffley: Conservative Members have been enjoying my hon. Friend's speech. Would he care to comment on an opinion from the Law Society that suggests that the roles and functions of the Central Arbitration Committee are so badly defined in the Bill that a spate of judicial review challenges in the courts is inevitable?

Mr. Grieve: My hon. Friend is quite right, but this will not be the first time that badly drafted legislation passes through Parliament. On issues of "social justice", the tendency towards the opaque makes life for the judiciary extremely difficult, but it makes life for lawyers, such as me and my colleagues, extremely enjoyable, as it provides a fertile field for making money. On the whole, I am not a believer in involving lawyers in people's problems and I keep telling them that, if at all possible, lawyers should be kept out. One of the ways to keep lawyers out of people's difficulties and problems is to ensure that everybody understands his or her rights. If legislation is badly drafted, that does not happen.

Some Labour Members have said that they wish for partnership and that the issue is not one of "them and us". I, too, want partnership between employer and

[Mr. Grieve]

employee—it is the foundation of a happy country—but it will not be achieved by putting social regulation, through the nanny state, on one party.

9 pm

Mr. Jonathan Shaw (Chatham and Aylesford): I am grateful to be able to contribute to the debate. I shall keep my comments short, as I know that several of my hon. Friends want to speak.

I also congratulate the Minister of State, my hon. Friend the Member for Makerfield (Mr. McCartney), on his work to get the Bill before the House. In combining it with the minimum wage legislation, he has made a huge contribution to our party in government.

Work is the fundamental basis on which our society functions. It is a basic human right to be treated fairly in the workplace and to be represented, if one so wishes. Increasingly in recent years, however, that has not happened. Ordinary, decent, hard-working people have seen their rights swept away and replaced, in some extreme examples, with a climate of fear and intimidation. There is no better example of that in Kent than at Co-Steel in Sheerness. It derecognised unions and set about a systematic policy of intimidating and bullying union stewards. My hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) has campaigned hard for those workers and spoken up in the House on the matter on several occasions.

The right hon. Member for Wokingham (Mr. Redwood) said that our legislation will be a return to the bad old days, the bad old ways, yet existing employment legislation is in the dark ages. Parts of my constituency could be described as middle England. During the election campaign, I spoke on the doorstep to many ordinary people who were concerned about the lack of protection, representation and fairness at work. The hire today, fire tomorrow mentality does not sit comfortably with the public. It is not, as some might say, the British way.

People said to me time and again that, as my hon. Friend the Member for Derby, North (Mr. Laxton) said, the pendulum has swung too far in favour of unscrupulous employers. The vast majority of British people believe that employees should be entitled to some holiday, have a minimum wage, be able to look after their sick children and take time off. The Bill, combined with our other policies, will redress the imbalance and, most importantly, be very popular.

All hon. Members, if not the vast majority, will have heard in their surgeries constituents' tales of appalling treatment by employers. I heard one of the worst examples in my surgery last year. An ordinary man, who had served his country with distinction as an officer in the Royal Air Force, was working for a college of further education. He had worked there for 11 years, and been promoted throughout. He had secured tens of thousands of pounds of funding from the European social fund, improved the courses and increased the number of people attending the college.

In 1995, the college, like many further education colleges, organised its pay structure locally. My constituent's colleagues asked him to become their union steward. All deliberations and negotiations went successfully, but, shortly afterwards, the principal falsely accused my constituent of a variety of indiscretions that brought the college into disrepute. Regrettably, particularly for my constituent, the only way in which the dispute could be resolved was through an industrial tribunal.

Following the industrial tribunal's decision, the principal instigated disciplinary proceedings against my constituent. Both disciplinary hearings started at 6 o'clock in the evening. One finished at 1 o'clock in the morning, and the other at 2 o'clock in the morning. Despite the requests of my constituent and his union representative for an adjournment, it was refused. My constituent was told that the hearing would continue regardless of his presence.

It was no great surprise to my constituent that he was sacked and has to take his case to another industrial tribunal. Having earned a reasonable salary, he can expect only a maximum pay-out of £12,000. That is unlikely, given that the average pay-out is about £2,500. He may lose his home, and the strain on his family's health has been unbearable. The new cap of £50,000 may have prevented the college from taking action. I also welcome the fact that the cap will be index-linked.

The Bill causes the Tories many difficulties because it not only goes against their natural sense of injustice, but will add to their unpopularity. There is a generation—Thatcher's children—who, come the next general election, will see huge differences between our policies on representation, fairness at work and the minimum wage and the bad old ways under the Tories. They will easily make a decision.

Before I came to the House, I worked with young people. Shortly before the election, a young lad told me that he had just been fired from a job packing oranges. He had worked for the company for six months and there had never been any concern about his work. I asked him why he was sacked and he replied, "I was talking to the person who was standing next to me. That's the way that we are treated." He had no expectation of being treated any other way, but he did not have any commitment to the company.

That young lad will have his first vote at the next election, as will millions of other young people, and what a stark contrast he will find between our policies and the bad old ways under the Tories. I, along with my hon. Friends, will certainly be reminding him of that—but, having listened to many speeches in the debate, I do not think that he will take too much reminding.

9.6 pm

Mr. Geoffrey Clifton-Brown (Cotswold): It is a privilege to take part in this debate. The key test of the Bill should be whether or not it improves industrial relations. One of the reasons that this country's economy has been so successful since 1979 is that we have had an increasingly liberal employment regime. One has only to consider countries with successful economies, such as the United States with its mobile and flexible labour laws, to understand the damage that the Bill could do.

If we look back to the circumstances that we inherited in 1979, we remember the bad old days of secondary picketing, flying pickets and the intimidation and even violence that went on during strikes. We can remember the results of those strikes, such as the closed-shop dispute at Grunwick and the dreadful pay disputes in 1975, when Ford workers went on strike for a 50 per cent. pay rise and were awarded a 30 per cent. rise. That is the regime that we took over in 1979. A staggering 29 million working days were lost to strikes in that year. By 1997, only 235,000 days were lost to strikes. That was a result of the regime that we put in place during the 1980s and 1990s.

Mr. Ruffley: Would my hon. Friend like to hazard a guess as to how many members of the present Cabinet supported Baroness Thatcher's reforms to remedy the problems that he has just identified?

Mr. Clifton-Brown: It is not difficult to guess that figure, because I doubt whether any Labour Member supported the Thatcher reforms.

My remarks are not political—I genuinely want there to be good industrial relations in this country. I totally oppose, as every hon. Member should be elected to this place to oppose, unnecessary burdens on employers, because only through entrepreneurship and success, especially of small businesses, will this country ultimately be successful as an economic power.

One of the great achievements of the Thatcher years was that we created 1 million extra small businesses employing 1 million extra people. I want there to be full employment, a labour force richly rewarded for their work and people with mobility who have proper skills and training. That is the economy that I want this country to have.

My fear is that we shall have an economy that is increasingly dirigiste, increasingly regulated and, increasingly taxed and that imposes increasing burdens on small businesses. Why, for example, does the Bill use the arbitrary figure of 20 workers above which the provisions will apply, ignoring all the pleas and representations made by the CBI that a more realistic level for small businesses would be 50 employees?

I sincerely hope, in a non-partisan way, that the Minister will consider that factor. I think that a business employing only 20 people will be saddled with a huge burden if it is forced to recognise the trade union membership of its entire work force, given the costs associated with employment law and other aspects of such recognition. Given that we want to encourage seedcorn businesses, surely it would be sensible to increase the number to a more realistic 50.

Mr. Bercow: Should it not be emphasised that, although firms with 20 or fewer employees are excluded from the requirements relating to trade union recognition, no firm is excluded from the provisions of the parental leave directive, because of the Government's crass folly in signing up to the social chapter?

Mr. Clifton-Brown: I entirely agree—and, as my time is limited, I shall say something about parental leave now.

Parental leave is difficult to define. How old will a child have to be, and what evidence will have to be produced, before leave can be claimed? It strikes me as folly for both parents to be eligible. I do not mind whether the father or the mother is eligible, but it seems unreasonable for both to be eligible at the same time.

The Bill has another worrying aspect. The increasing trend towards secondary legislation is creeping into all the Government's Bills. It is a bad trend and an undemocratic trend: it means that regulations can be introduced through secondary legislation and need not be properly scrutinised and debated in the House. I think that law should be accurately drafted and introduced through primary legislation so that the House can scrutinise it. Under the last Finance Bill, for instance, regulations were introduced to provide for all the necessary preparation for the euro. I consider that to be an abuse of Parliament. This Bill, too, provides for increased secondary legislation.

The provision relating to the Central Arbitration Committee also worries me. We do not know what the committee's role will be, or how its membership will be composed. We do know—because clause 22 tells us—that the committee

"shall consist of members appointed by the Secretary of State."

The Secretary of State cannot even trust those members to appoint their own chairman:, he will make the appointment for them. That shows how little the Government trust democracy. The committee might actually be composed of independent people who are able to make up their own minds.

We know that the committee's members must be "experienced in industrial relations". Thank goodness for that. What would be the point of appointing people with experience of stamp collecting or some other irrelevant qualification? We would expect them to have proper qualifications. We also know that some members must have experience as employers. That, surely, is only right, in a Bill in which partnership has a role to play.

Time is limited, so I will finish my speech. I believe that this is the ultimate payback to the trade unions for all that they have donated to the Labour party between 1979 and now. How much has the payback been—£100 million or £150 million? I do not know; we can only guess and speculate. The Bill, however, is the ultimate prize. That is unfortunate, because I think that it will have a detrimental effect on unemployment. Already, about 18.5 million people are unemployed in Europe. Fortunately, the trend has fallen progressively in this country over the past two or three years. What a tragedy it would be if people became unemployed solely as a result of the Bill.

It is, I think, almost inevitable that employers on whom extra costs are imposed will become less competitive. When the far east begins to get its act together, it will produce some highly competitive electrical and chemical goods, and those industries will be able to undercut our firms, which will be shackled with European-type legislation. If we do not resist such legislation, Britain will sink further and further, and become less and less competitive. We shall drift back to the bad old days of 1979, with secondary picketing and flying pickets. I hope that the Government will have second thoughts and ameliorate the worst aspects of the Bill.

9.15 pm

Lorna Fitzsimons (Rochdale): The hon. Member for Cotswold (Mr. Clifton-Brown) argues, with amazingly scant regard for the facts and figures associated with the Administration whom he supported, that the Bill will cause a catastrophic rise in unemployment. Two thirds of manufacturing capacity was destroyed by the previous Government, and one business went bust every three minutes.

[Lorna Fitzsimons]

Like many other hon. Members, I shall declare an interest. I am a member of MSF—the Manufacturing, Science and Finance Union—but I also have experience of being a small employer and a large employer, in the profit sector and the not-for-profit sector. With that background, I know that many of the arguments that I have heard from Conservative Members are lazy, old-fashioned politics. That is as out of date in the Chamber as it is useless in the debate about how to go forward in industrial relations in a modern economy.

The tried and tested way of punishing people and of levelling down pay, skills and terms and conditions did not work. It caused strife and blight in communities. It is laughable for the Conservatives to position themselves as the pro-family party. Their industrial relations legislation had a disastrous effect on the people whom I represent and, indeed, on my family.

How can people plan a stable family environment when they have a zero-hours contract—when they turn up day after day, not knowing whether they will be paid for their work? How can there be a positive planning environment for a family without paid holidays? Those are the basic needs of families, which are the building blocks of our communities and society.

The family-friendly aspects of the Bill apply universally to all workers. Good employment will once again mean good family policies. The world of work and the world of home must work together. One cannot ignore the fact that, when a child is sick, that affects the family members who work—the mother or the father. Businesses that have good, flexible practices reap the rewards. The amount of sick leave taken by their employees decreases because of the greater flexibility and the greater honesty and loyalty of the work force.

Many of my hon. Friends have quoted case studies from their constituencies which showed that workers' loyalty and productivity increased if they were valued. We could all quote ad infinitum examples of the destructive effect of bad employment practices.

Various aspects of the Bill are worth highlighting. The agency clause is important. An agency representing workers in a competitive, high-skill, high-wage sector is entirely different from agencies that operate in constituencies such as mine. Such agencies have worked for years to negate employers' responsibilities for terms, conditions and basic minimum rights. That is wrong. I welcome the fact that some of the more honourable Opposition Members acknowledged that the denial of those rights shames all of us and is bad for the economy, for business and for society.

I welcome the provisions on the working terms for part-time workers. In my constituency, a lot of work is part-time and, by increasing the rights of part-time workers, we have enfranchised thousands of my constituents who previously did not think that legislation covered them. They would never have thought of going to their trade union, because they knew that they did not have any rights that could enfranchise them. Now they can go to their trade union and actively choose to be represented, because they have rights. That will change their outlook and enable them to participate more, and it will be wholly welcomed.

We have to get back to a more intelligent, balanced debate about the art of the achievable, and I firmly believe that the Bill is a start in terms of minimum standards in the workplace. It states the humane standards, which were eloquently set out by my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson). We all know of the old lazy politics of the bad old days, of the left and the right. Neither was particularly useful to good business or to good employment practice or for workers' representation.

The good management of business is difficult. Some of us have been managers, and management is an underrated skill. It is said that people are promoted into management when they do not have management skills, but have been good at their job. We must realise that it is a shoddy excuse when a bad manager says that it is difficult to achieve something with a poor employee.

Training and investment, which are part of the Bill, will help employers to deal with issues of motivation, reskilling and directing their work force. Training and investment will not hinder that and they have never been provided for previously in legislation. On several levels, the Bill is good—not only for business, but for positive trade unionism. I plead with Conservative Members, as well as with commentators outside the House, to stop using the old reference points of, "Business good, trade unions bad". There is good and bad on both sides of the fence.

Trade unions have used the challenge of the legislative framework that they had to work within, and the representation that they give to their membership is second to none. In constituencies such as Rochdale, the good trade unions are gaining members hand over fist. Membership is thought to be a good insurance policy, because all the services that trade unions provide are considered to be a vital lifeline for lots of employees in fragmented satellite work forces.

We must continue to consider small businesses. I understand their plight, because the economy of my community is based on them, but it should not stop us trying to work out ways to overcome the problems that they have because of their unit of resource—one, two or three employees. We should federate those businesses, look at the supply chain in which they work and seek imaginative ways of encouraging them to adopt good practice, even though it may not be possible, through this legislative framework, to include them in that.

Many of the vulnerable workers who will be helped by the Bill, especially in constituencies such as Rochdale, are non-English speakers. They may be in low-skill, low-wage temporary work, but, if we are to enfranchise the total population with their rights under the Bill, we must consider using other languages within targeted communities to make sure that people such as the Asian women from Pakistan and Bangladesh whom I represent receive their rights as much as well-enfranchised English speakers.

9.24 pm

Mr. Tim Boswell (Daventry): I begin with two declarations. The first is of my interest as the employer of one full-time employee. The second is the fact that I am ever hopeful. In that context, I hope that the House will have the wisdom to accept our reasoned amendment, which was moved so elegantly and eloquently by my right hon. Friend the Member for Wokingham (Mr. Redwood).

My right hon. Friend shares, with many hon. Members on both sides of the House, my aspiration for good industrial relations based on voluntary agreement. He also shares my scepticism in respect of the Bill's central proposition, which is that partnership is best, or only, secured by coercion. We do not believe that to be true.

As my right hon. Friend said, the economy is teetering on the brink of recession, and it is against that background that the debate has taken place. Undoubtedly, manufacturing industry is already deep in recession with successive months of downturn in production. The prospects are no better for white collar occupations—tell that to people who work for Deutsche Morgan Grenfell or Barclaycard.

The Chancellor and the Secretary of State for Trade and Industry will have to do rather better in future than they have done with the windy banalities of their 10 productivity roadshows. Their rhetoric suggests to me that they have discovered a new grammar based entirely on adjectives, with the noun disappearing from sight. Even new Labour's newspeak cannot identify the assertion of a proposition with the reality of that proposition. It is time that Ministers came out of denial and came to terms with the fact that, in the Prime Minister's words—which will return to haunt him—hard choices sometimes have to be made.

The Bill has been designed explicitly to increase employee rights—even if they are coyly retitled "employment relations", whatever that means—and it cannot avoid increasing costs and hassle for businesses of all sizes. It does that precisely when the economy and business, which is the sole creator of wealth in this country, are already under great pressure.

My hon. Friends who contributed to the debate have spoken cogently of the difficulties that the Bill will cause employers and, ultimately, their employees. We shall explore those difficulties in greater depth in Committee. Labour Members have naturally been somewhat friendlier towards the Government's proposals, and they have made contributions based on their undoubted industrial knowledge. Given the different flavours—some of them old trade unionists and some of them new Labour—an internal debate seems to have taken place in the Labour party.

Dr. Ian Gibson (Norwich, North): Is that so terrible?

Mr. Boswell: Indeed, it is very welcome. Conservative Members share the Government's declared enthusiasm for the warm things such as partnership and productivity, but saying them is not achieving them. I ask Labour Members to consider that, because there is a real danger that the Government's stated intentions will backfire, and they may end up doing more harm than good. I need hardly remind Ministers of the danger of unintended consequences, given that they are grappling with the question whether au pairs qualify as employees for the purposes of the national minimum wage.

The Opposition want fair and practical legislation, and we approach the Bill in that spirit. I am afraid that the Government have contributed to the uncertainty about the impact of the Bill. Even for this Government, the structure of the Bill is more dependent than usual on subsequent regulations—for example, to prescribe the details of parental leave and what constitutes a domestic emergency. There have been eight months of consultation. It seems to me that there will have to be another eight months of consultation before we know the answers.

It is clear that the Government are moving towards a much looser definition of parental leave than is required by the European directive—they are gold-plating it. My hon. Friends have drawn attention to Irish law, although we do not want to follow Irish law in providing for paid parental leave.

The Government have said that this is their final word on industrial relations matters. That is rather reminiscent of the eerie phrase from pre-war Germany that this was positively their last territorial claim.

Will Ministers here and now rule out any extension of parental leave to include a requirement of payment by hard-pressed employers—yes or no? We shall not know about that and so many other matters until the regulations are made. I am inclined to suggest that we should retitle the Bill "Employment Relations (Further Details to Follow)".

Some things, however, are clear enough. This is old Labour's finest hour in the shape of the Minister of State enjoying it. New Labour is paying its grudging homage to the past. We are beginning to understand that, during Labour's frustrating years in opposition, the unions shelled out more than £100 million at today's prices to the Labour party. That investment led to manifesto commitments, particularly and notoriously on union recognition. Even now, damaging as they are, the Bill's provisions fall sadly short of the TUC's clear intention. I found it fascinating that so many Labour Members metaphorically left their gloves on the table for future challenges and extensions to the legislation.

Of course, the provisions are still too difficult for the CBI and other representatives of industry, even though the CBI joined in the haggle that preceded the famous treaty negotiated on 17 December by the right hon. Member for Hartlepool (Mr. Mandelson), after which he departed the scene. However, the CBI, as ever in measured terms, concluded:

> "Getting the detail of the Bill's provisions and its implementation right is critical to minimising the negative impact on business."

We need to consider that point rather carefully.

Mr. Clifton-Brown: Much of the debate has focused on the Bill's negative impact on businesses. Does my hon. Friend think that it would have been a good idea had the Bill contained some provisions that were positive to business, such as providing employment or helping to increase profitability in some way?

Mr. Boswell: Precisely. It is quite clear that the CBI thinks that the Bill's overall impact will be negative.

The Institute of Directors has been even blunter. It concluded:

> "The Bill is entirely inconsistent with its objective of creating a competitive economy. These measures will sap the competitiveness of British firms."

And so they will. [HON. MEMBERS: "They will not."] It is interesting to hear the barracking comments from Labour Members, but it is certainly the view of the employers' side of British industry that they will.

I ask the Government to provide a simple litmus test. In the terms of my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), does the Bill contain a single

[Mr. Boswell]

measure that reduces the burdens on employers and businesses? The gestation period of the Bill has had three successive Secretaries of State and, until now, it has never been clear whether they would jump left or right, but the Bill is left hand down all the way.

I now turn to our specific points of concern, starting with trade union recognition. Ministers know that the last time it was enforced, from 1975 until the fall of the Labour Government—much contributing to it—coincided with the virtual collapse of the British economy, and that disputes about recognition helped to sour the industrial climate. This time, some hurdles may cause resentment among the unions, but the CBI will not lie down under the proposal for automatic recognition when 50 per cent. of the relevant bargaining unit are in membership. That will have to be argued. Therefore, a great deal hangs on the performance of the Central Arbitration Committee. Previously almost the most self-effacing quango in the land, it now takes centre stage as it has to handle such important questions. It must have clear guidelines if it is not to spend its entire life in the tangles of judicial review. One of my major concerns is that this is a Bill for employment lawyers rather than for employment.

In respect of individual employment rights, I concede that, at least in this respect, the Government have listened to reason by changing their original proposals and retaining a cap on unfair dismissal claims, although it has increased fourfold to £50,000.

I should add—parenthetically, to be nice to the Minister of State, for once—that I am grateful to the Minister for embodying my suggestion of using algorithms, or logical trees, in his explanatory notes, to take people through how they should respond to claims for recognition. *[Interruption.]* I note what the Minister says about his own proposals.

We should recognise that, in at least two respects, the fourfold increase in the limit must tip the balance in favour of going to a tribunal. The first effect will be felt in claims of wrongful dismissal under contract. Through the notice period, such claims are currently limited to about £12,500, whereas this increase will provide for claims up to £50,000. Secondly, the increase will simply raise the stakes—the opportunity—of hitting the jackpot as against doing nothing at all.

In other words, the provision will pay employees—as they will be so advised—to have a punt in the tribunal. I foresee that that in itself, if it does nothing else, is likely to put a heavy strain on tribunals, which are already fully loaded. The strain is almost wholly unacknowledged in the Government's regulatory impact assessment, which suggests an impact, on unchanged claim numbers, of £1.8 million—confirming my suspicion, as ever, that regulatory impact assessments are a refined work of fiction.

Finally, I should deal with the Bill's family-friendly package. Ministers forgot about their debts to the unions when launching the legislation. They told the press that everything in the Bill was about the family, as a means of taking eyes off the ball of the much more controversial issue of recognition rights. The Opposition are not against the family—in case Government Members ever thought that we were.

The regulatory impact, even in the Government's own terms, on families is admitted to be very far from trivial, at about £29 million for parental leave, and another £15.8 million—a spuriously precise figure—for extensions of maternity leave. Of course, the parental leave provision takes no account of the cost if "domestic emergencies" are subsequently defined, as I suspect they will be, as whatever the employee wants them to be.

As the hon. Member for Eastleigh (Mr. Chidgey) said in his thoughtful speech, it would be interesting to try to define "domestic emergency" and to tell employees that they can have so many hours a year to deal with them. If we were to define such emergencies, they would become an entitlement and not an accidental necessity. That is before—I hope that the Minister will deal with the matter—any suggestion that the Government might extend the provisions to include paid leave.

All that omits the simple reality that—as my hon. Friend the Member for Beaconsfield (Mr. Grieve) said—for a small employer, loss of a key worker for three months, even if the leave were unpaid, could literally wreck a small business. Moreover, the costs that are so lightly imposed by the Bill fall on top of the burdens of regulation and record keeping already imposed by the national minimum wage and the working time directive. Over the period of a Parliament, those two measures alone are calculated to add about £15 billion to business costs in back-door regulatory tax, even before considering the front-door, straightforward business tax increases which amount to £25 billion. Faced with such burdens, small businesses will not expand employment. Many of them will not take the first step of taking on an employee.

You, Mr. Deputy Speaker, may ponder the purpose of the Bill. Although Ministers and Government Back Benchers have failed to concede it, Opposition Members know that, during the previous Government's period in office, the British economy flourished. For some months after the general election, it has continued to flourish, as part of the golden economic legacy bequeathed by us to Labour. As that legacy is now squandered in higher taxes, higher spending and greater regulation, we know that British business now faces the mother of all struggles—to stay internationally competitive.

One part of our legacy has remained largely untouched until now—our new settlement in employment law, created over a long period and not without difficulties. By 1994, that settlement had resulted in the number of days lost to strikes falling to 1 per cent. of its peak. There are some worrying signs, particularly in the public sector, that the numbers may be picking up.

Under any Government, employment law is a network of rights and responsibilities. We believe that the balance that we struck was broadly fair. There were some bad employers and some bad employees, and good practice was not always universal. However, the balance was about right, as the facts show.

We approach the Government's proposals with heavy scepticism, because we know where they come from and the constituency that they are designed to satisfy. We believe in certain simple concepts. Businesses create jobs and wealth. Entrepreneurs take risks in the face of uncertainty and open up new markets. Governments should not and must not hinder them. [HON. MEMBERS: "What about employees?"] I am interested that Labour Members should say that. I have repeated the words used by the Secretary of State for Trade and Industry last week at the Mansion house. It is clear that some of his hon. Friends were not invited to listen to him.

We fear that the detailed proposals in the Bill will not be in place of strife, in Barbara Castle's famous phrase, but will open up a place for strife. They will disturb a delicate balance of rights and responsibilities. The key is whether the proposals help business, and we shall test them against that criterion in Committee. They will then be subjected to the even greater test of events. In that spirit, I commend the reasoned amendment to the House.

9.42 pm

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): We have had an interesting debate. I thank the 12 Labour Members who have contributed. We have seen commitment from all parts of the United Kingdom to partnership in the workplace, setting out new opportunities for employers and employees to work together. We are introducing a new settlement in employment relationships and a new environment for companies to flourish with commitment from the work force and a commitment back to the work force by employers.

It has been a disappointing debate for the Opposition. The Scottish Nationalists did not even turn up to give their support to workers from Scotland. They turned their backs on Scottish workers and gave a smack in the face to Scottish businesses, who support the Government's principles of partnership in the workplace to develop the Scottish economy and make it more competitive.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale) *rose*—

Mr. McCartney: The hon. Gentleman is pleading with me to give him an opportunity. I have sat here for hour after hour. I do not know where he was, but he certainly was not in here supporting Scottish workers or Scottish businesses. That says a lot about him.

The Conservatives gave a pretty pathetic showing. They could not even muster enough speakers to put their tired old story to the House and the British people. We had to have Labour Member after Labour Member because there were no Conservatives left to speak in support of the right hon. Member for Wokingham (Mr. Redwood). In 12 years in the House, I have never known a Front-Bench spokesperson of any party to have so little support from his Back Benchers. [HON. MEMBERS: "Or his leader."] I shall come to his leader in a moment.

I welcome my right hon. Friend the Secretary of State to our first debate together in government. He has said that he is an outrider for new Labour's juggernaut. I wish him well in that position and I give him the commitment that I ride shotgun for that juggernaut. Anyone attempting to upset my right hon. Friend will have to deal with me first. I am looking forward to reuniting the team that we had before the election, when we worked together on the Jobseekers Act 1995 and a range of other measures that the Tory Government brought in. We will work well together to ensure that the Bill becomes a reality for millions of British workers.

There is a real difference of approach between the Conservatives and the Government, embodied not just in the Bill, but in the speeches and the eloquence of my right hon. and hon. Friends, and the tatty—almost disgraceful—way in which some Tory Members threw aside any concept of partnership, minimum standards or the capacity for employers and workers to work together to make their business successful, so that workers and employers benefit from the fruits of that success.

Listening to the Conservatives, one would think that history commenced on 2 May 1997. Let us remember what the Government had to pick up. The previous Government opted out of Europe, leaving industry totally isolated and confused about whether it should comply with directives. They squandered millions of pounds of taxpayers' money on defending Tory ineptitude in the European courts. Every three minutes of every working day, a company went bust under the Tories. To make sure that they stayed bust, the Tories piled on an avalanche of 45,000 regulations on business. Tory Industry Ministers had a phrase, "Kill them and bury them". That was the demented policy of Tory Industry Ministers.

There were 45,000 regulations on business, and two thirds of Britain's manufacturing economy was decimated by the Tories—and they come here and say that they are on the side of business. They have been on nobody's side but their own. No wonder, at the last election, managers and workers alike united across Britain to get rid of the Tories and their aging and dogmatic approach to business and employment relations.

The Tories are uninterested in social partnership. Why bother, when a hire-and-fire culture pervades their party from top to bottom? Remember the hapless Viscount Cranborne? He was in a job for four centuries—*[Interruption.]* However, his managing director summarily dismissed him—sacked him—without even minimum consultation. There was no written warning, no grievance procedure and no appeal.

Viscount Cranborne is not the only person in the Houses of Parliament who has a lineage in parliamentary activity. My father, who is 80 this year, made his maiden speech in this House on 14 December 1970, opposing the Conservatives' Industrial Relations Bill. I am sure that he is listening to the debate this evening, and I wish to quote what he said nearly 30 years ago about the Tories and their view of industrial relations. It is quite illuminating. I will just use the favourable parts, as he was a bit of an old trade unionist. [HON. MEMBERS: "Oh!] I knew that that would get Tory Members going. My father said:

> "Trade unions prefer to see a continued era of peaceful negotiation in industry, where trade unions are free to bargain for their members, and a truly free society where they can function on behalf of their members."—[*Official Report*, 14 December 1970; Vol. 808, c. 1021.]

What my father said then about partnership and co-operation in a workplace where people wanted unions to represent them effectively was true 30 years ago, and it is true this evening. I am pleased that my father has stayed with us all this time, as we get back to the position where every worker in Britain—full-time, part-time, temporary, casual or agency—will be treated with dignity in a flexible labour market.

Not only are the Conservatives committed to hire and fire, but they also now practise age discrimination in a big way. Two weeks ago, Opposition Front Benchers were told that they were too long in the tooth, and they were threatened with the sack. The right hon. Member for Wokingham, seemingly, is not up to it. He was told that

[Mr. McCartney]

he was a forlorn figure. *The Daily Telegraph*—the house magazine of the Conservative party—said that a

"slaughter of the old guard"

was to take place. No one, but no one, was impressed with him, and each time he got up to speak he lost the party even more support.

I used to be called D. C. M. McCartney—"Don't come back on Monday". I am devastated by the fact that the right hon. Member for Wokingham looks like inheriting that title. I feel a duty to advise him that he has some rights under the Bill and that it may protect him. He can have a fair hearing, the right to be properly represented and the right to be accompanied at grievance and disciplinary proceedings; and he should not be subject to a campaign of victimisation by his line manager. I hope that Wee Willie Winkie is listening to this.

I will be happy to assist the right hon. Gentleman, because he is too valuable an asset for the Labour party to lose. He is doing far too bad a job to be sacked. If, in the next few weeks, I can rush up anything to assist him, he should have a word in my ear and I will see what I can do. I am all in favour of all-party support and co-operation when it comes to people's employment rights. *[Interruption.]* I see that another hon. Gentleman wants to talk to me.

Mr. Boswell: I am grateful to the Minister. He is trying to present the Bill as a family-friendly policy. If any of my right hon. and hon. Friends wanted to spend more time with their family, would he not be seeking to encourage them rather than taking them through a grievance procedure? He may have it a bit wrong, but of course we want them all to stay here and argue against the Bill.

Mr. McCartney: It would probably be best for the British economy if they all spent more time with their family. While we are on the subject, I should like to say that I am the youngest grandfather in the House of Commons, with seven grandchildren, who are known in the family as the flying pickets.

There is a contrast between the Conservative party and the Government. The Conservatives argue on behalf of the few, and we are the Government of the many. We want to work with business and unions, not to impose ideology on them. That is why we set up the Low Pay Commission, with representatives of large and small employers as well as unions, to advise us on the level of the national minimum wage. That has been a successful example of partnership at work.

We took a similar approach on fairness at work. Soon after the general election, my right hon. Friend the Prime Minister asked the CBI and the TUC to narrow their differences on trade union recognition. The talks culminated in the constructive joint statement of December 1997, which formed the basis for the proposals on recognition and fairness at work in the White Paper that we published last May.

We are building a culture of partnership at national level to promote partnership at the level of the individual enterprise. We are taking time to consult, to listen and to involve the employers and the unions in the formulation of the legal framework for minimum standards in the workplace.

The best employers are already on board, involving and consulting their employees, through unions, works committees, staff councils, electronic media, quality circles, team briefings and a myriad of other channels. The best employers offer good conditions and excellent training and they reap the rewards of that investment: they get the best staff who stay with the business and give it their commitment and loyalty.

Who is right? Tesco or the right hon. Member for Wokingham; Blue Circle or the right hon. Gentleman; Hyder or the right hon. Gentleman; or the Co-op bank or the right hon. Gentleman? I believe that it is 4:0 to business. The right hon. Gentleman has a worse record than Glen Hoddle. I cannot help wondering what he was in a previous life. Perhaps he was Glen Hoddle.

Let me help the right hon. Gentleman and his colleagues. Partnership means the need to recognise and value the central role of the work force in any business, both financially and through day-to-day recognition of their contribution. Everyone must be encouraged to contribute to the success of the whole organisation. It also means the need for a common understanding of the business's aims and goals and for an agreed work culture.

Employers need to have a strategy for developing their employees, and not only the highly skilled or the high fliers. Workers must be encouraged to identify and enhance their skills in the enterprise and challenged to ensure that there is no waste of talent, and—crucially—there must be an inclusive relationship between employers and employee representatives. The critical difference between the Government and the Opposition is that we believe in partnership and want it to work. That is what the Bill is about.

Modern companies know that to succeed in the world economy there must be a contribution from staff. I give the House the example of two companies that recently have recognised trade unions for the first time. Hays Clinical Services stated:

"We are a modern, thinking company who see good industrial relations as vital to our success."

The Gap Employment Agency said:

"The agreement works to both of our advantages. The union plays a role in negotiations and gets new members, while the company gets to keep staff for longer in a market with a traditionally high turnover."

Everyone deserves to be treated decently and respected at work. The Bill is designed to achieve that. Much has been said in the debate about the costs of the Bill, about the way in which it is drafted and about the need not to impose unnecessary burdens on business. We have gone one better: employers and employees will benefit enormously from greater participation in the labour market, reduced staff turnover and a climate of greater commitment and trust in the workplace.

I know of a significant employer that reported that one of its core businesses had a staff turnover rate of up to 100 per cent. a year. Taking into account both growth and turnover, the company has to recruit 50,000 people a year just to stand still. That involves an astronomical cost for training and recruitment of around £85 million to £100 million a year, or about £1,750 per recruit. The company never gets a return on that investment, and that is why it is changing culture. it now recognises the minimum wage, trade unions and the need for partnership in the workplace. Partnership reduces the costs that employers bear as a result of bad practice.

The CBI tells us that £25 billion a year is lost to British industry through unregulated absenteeism. The Government's proposals will give people employment rights. It will also give employers the security to change the bad culture of unregulated absenteeism in the workplace, and they will therefore benefit hugely from the reduction in those terrible on-costs.

Various hon. Members asked questions earlier. Because of the time, I shall deal with those questions in Committee, or answer them by letter.

This is a proud day for the Government. Before the election, we made a number of pledges with regard to employment. We pledged to introduce a national minimum wage—done. We pledged to introduce the working time directive and holiday pay—done. We pledged to restore trade union rights at GCHQ, to introduce a new deal and to adopt the social chapter—all done. Now we are about to put in place the last major piece of the framework of reforms that will create a fairer and more modern labour market in Britain. The Bill honours our manifesto commitments on partnership in industry, and on rights and responsibilities in the workplace. It honours our commitments to strengthen family life.

Conservative Members have shown their disdain for the Government's programme for social partnership and for a renaissance in employment relations. The Opposition tabled an unreasoned amendment to the Bill, and their performance this evening has been lamentable. It raises one important question that they can dodge no longer. When the Opposition go into the next election, will they pledge to scrap the minimum wage? Will they remove rest breaks from workers who work for more than six hours a day? Will they abolish paid holidays for more than 2 million workers? Will they increase the period for unfair dismissal from one year to two? Will they scrap full-time rights for part-time workers, and stop time off for family emergencies? Will they cut maternity pay and maternity leave? All those pledges would be the consequence of their vote against the Bill this evening. The Opposition will not be allowed to wriggle.

I have waited all my working life to stand here and present this Bill to the House. I am proud to recommend it. I ask all hon. Members to support the Bill, British industry and millions of British employees.

Question put, That the amendment be made:—

The House divided: Ayes 135, Noes 395.

Division No. 61] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Nigel Waterson and
Mr. Stephen Day.

NOES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond

Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donaldson, Jeffrey
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Southworth, Ms Helen

Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Greg Pope.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

EMPLOYMENT RELATIONS BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Employment Relations Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any increase attributable to the Act in the sums so payable under any other enactment;

(b) any expenditure of the Secretary of State under the Act.—*[Mrs. McGuire.]*

Question agreed to.

FOOD STANDARDS

Motion made, and Question put,

That the quorum of the Committee appointed by Order [8th February] to report on the draft bill on the Food Standards Agency (Cm. 4249) shall be three.—*[Mrs. McGuire.]*

Hon. Members: Object.

PROCEDURE COMMITTEE

Ordered,

That Helen Southworth be discharged from the Procedure Committee and Mr. Colin Burgon be added to the Committee.—*[Mrs. McGuire.]*

Mixed-sex wards

Motion made, and Question proposed, That this House do now adjourn.—*[Mrs. McGuire.]*

Mr. Deputy Speaker (Mr. Michael Lord): I call Dr. Julian Lewis.

Hon. Members: Hear, hear.

10.15 pm

Dr. Julian Lewis (New Forest, East): I am grateful to my colleagues for giving me such a warm send-off on my debate, although start-up might be a more appropriate term.

Let me start with a quotation:

> "Patients charter offers Hobson's choice on mixed-sex wards. Government not even attempting to collect figures on patients denied beds in single-sex wards."

Those are not my words, or those of any Conservative Member, but the words of the then shadow Secretary of State for Health, the right hon. Member for Islington, South and Finsbury (Mr. Smith), in a Labour party press release dated 20 November 1996. At the outset, I state that I am not, and have never held myself out to be, a medical expert—*[Interruption.]*

Mr. Edward Leigh (Gainsborough): On a point of order, Mr. Deputy Speaker. May we have some order in the Chamber, so that we can listen to this important debate?

Mr. Deputy Speaker: That is a matter for the occupant of the Chair to decide.

Dr. Lewis: Thank you, Mr. Deputy Speaker.

I have come to the topic by a gradual process, though my involvement with people who have experience as professionals, as designers of mental health hospitals and units, as psychiatric experts and even as users of psychiatric services. I hope to explain why I felt it necessary to apply for this debate, by taking hon. Members through the process of the problem's gradual emergence in my awareness.

I return to the position in November 1996, when the Labour party was, rightly, protesting about the continuing problem of mixed-sex wards. I shall quote the right hon. Member for Islington, South and Finsbury further, because I totally agree with him. He said:

> "The last Patients' Charter . . . said that patients could expect single-sex washing and toilet facilities; and that their wishes to be treated in single-sex wards 'will be respected wherever possible'."

Note the words "and that", for they mean that it is not enough to give patients single-sex washing and toilet facilities and then to say that single-sex wards have been achieved. As the right hon. Gentleman went on to say:

> "These two promises sound good on paper. But a report from the Patients' Association yesterday revealed that segregated washing and toilet facilities are far from being the norm; while patients all over the country commonly report that if they do express a preference to be treated in a single-sex ward, as the Charter encourages them to do, they are suddenly told that in fact their wait for treatment will be far longer as a result."

Let us look at the relevant section of the patients charter, which states:

> "You have the right to be told before you go into hospital whether it is planned to care for you in a mixed ward for men and women. (It may not be possible to tell you this if you are admitted to hospital in an emergency.) In all cases, you can expect single washing and toilet facilities. If you would prefer to be cared for in single sex accommodation (either a single sex ward or 'bay' area within a larger ward which offers equal privacy) your wish will be respected wherever possible. There may be some cases, particularly emergencies, where a hospital cannot provide single sex accommodation."

Labour was saying that that was a dead letter.

Mr. Leigh: Does my hon. Friend remember that the Labour party manifesto said that it would take steps to abolish mixed-sex wards in the NHS? What has happened to that commitment?

Dr. Lewis: I shall explain the developments. I am happy to acknowledge that some steps in that direction have been taken, but by no means enough has been done. I am concerned that, having taken a few steps in the right direction, which the manifesto commitment outlined, the Government are almost trying to say that the battle is won, the deed is done, the problem is solved. That is not so. Since I first took an interest in this subject some months ago, some worrying developments have made me realise the need to bring the matter more closely to the House's attention.

I remind the House that, on 12 December 1997, I proposed that the provision of single-sex ward areas be made a statutory commitment under the Mental Health (Amendment) Bill, which I moved after being fortunate enough to draw second place in the ballot for private Members' Bills. Sadly, the Government saw fit to amass a combination of Back Benchers and Front Benchers to waste five hours of parliamentary time and talk out the Bill.

Subsequently, there have been some more encouraging developments. In particular, I was tipped off about a development of a mixed-sex ward in a new psychiatric unit at Charing Cross hospital. I raised the issue with the Secretary of State, who gave a characteristically forthright response. He said, "It's news to me if any new mixed-sex wards are being constructed, and if they are, I will put a stop to it." As far as I can see, in this case, he did so.

At that point, the plot began to thicken. As a result of the Secretary of State rightly instructing Charing Cross hospital to revise its plans to create a new mixed-sex ward, the Goodmayes hospital—which was concerned that its proposals for its psychiatric unit would fall foul of the Secretary of State's determination to abolish mixed-sex wards—wrote to the NHS executive.

Mr. Philip Hammond (Runnymede and Weybridge): Does my hon. Friend agree that, in view of the express determination of the Secretary of State to end mixed-sex wards in psychiatric hospitals, it is very odd and surprising that the recently published mental health code of practice makes no reference to such a management objective?

Dr. Lewis: I agree with my hon. Friend; indeed, I am about to explain why I think that may be. I much welcomed his reference to this omission in the code, when he considered it in Committee in January.

The Goodmayes hospital received a reply on 3 August 1998 from a lady called Judith Guest of the patients charter unit at NHS executive headquarters. It was sent to the consultant psychiatrist and clinical director of Goodmayes hospital, Mr. Andrew Margo, and said:

> "Patients have a right to feel safe in hospital and it is recognised that there are special circumstances in mental health wards that have to be addressed to make patients feel secure. There should be separate sleeping and washing areas for men and women and those should be accessible to people when needed and suitable arrangements put in place to ensure that the area is safe. But completely segregating services would not be acceptable, as there are good clinical reasons to provide an environment in hospitals which, as closely as it can, prepares people for their return to their own accommodation".

I am very concerned about that advice. Indeed, I have raised it in correspondence with and questions to the Secretary of State. Nor will it come as any surprise to the Under-Secretary, because I have done my level best to inform his office of my entire line of argument, in the hope that that would assist him in addressing specifically the points which concern me so much.

Mrs. Angela Browning (Tiverton and Honiton): In considering what would be the norm in the community, under what circumstances can my hon. Friend imagine, for example, that women would find it the norm to have men whom they did not know in the same sleeping accommodation, and vice versa?

Dr. Lewis: I am most grateful to my hon. Friend, as I am always am when she brings the searchlight of her intellect and her specialised knowledge to bear on these topics. She anticipates a point that I intended to make later, but I shall deal with it now because it is precisely what the group of users from the Maudsley hospital has emphasised to me in my two meetings with its members.

I take the opportunity to pay tribute to Jolie Goodman, Cath Collins, Lynne Clayton and Denise McKenna for the campaign that they have been running. They have collected a number of deeply worrying examples of what is entailed for a woman who finds herself an in-patient on an acute ward. First, they contrast two quotations to make the point that my hon. Friend has just emphasised. They quote a pilot wing manager from the Charing Cross development as saying:

> "Sexual harassment is a fact of life in mental health wards . . . We feel that single-sex services themselves are not suitable here because we're trying to create a normal environment."

The campaigners' response states:

> "Mixed wards don't reflect a 'normal' society. They are full of a completely mixed bag of strangers in extreme distress who are forced to live in intimate circumstances with each other."

We can all anticipate the extreme examples of abuse that might occur in such an artificial environment. I shall give only two examples that the campaign group has drawn to my attention. These are the experiences of people who have written to the group. The first concerns a female user who, in 1998, wrote:

> "In 1995 I was a patient in"—

I shall not name the hospital—

> "and a woman on my ward was raped by a male patient who followed her into the female bathroom."

I interject that all too often what is lacking is a proper definition of what is meant by a ward. The term "bay" is particularly misleading because it refers to corridors: a male corridor opens off in one direction and a female corridor opens off in the other, but there is nothing apart from the vigilance of the staff to stop people going from one to the other.

The second example concerns a 17-year-old woman who, in 1998, wrote:

> "I, too, have been sexually assaulted by two male patients on my ward in July of this year. This experience was so traumatic and dreadful that it stopped any progress I was making for several months."

As I said, we could all imagine those extreme cases, and I had already thought of what might be entailed by those terrible circumstances; but what came as a revelation to me in the first-hand testimonies of the campaign group were the examples of more everyday occurrences with which female in-patients have to contend. I make no apology for reading out one or two that some people might find rather disgusting. The first states:

> "On entering the games room, a female patient tripped over the legs of a male patient who was lying flat on his back on the floor masturbating. When she complained to a nurse, she was told, 'He's very ill, you know,' and nothing was done."

The funny thing—funny peculiar or funny ironic, but not funny in any other sense—is that that patient was ill, and indeed it was not his fault, but he should not have been where she could stumble across him in that way, or vice versa.

Another example concerns a woman who found herself surrounded by half-dressed men asking whether she wanted a boy friend as she queued for breakfast. It has been explained to me that queueing is a key part of life as an in-patient. One queues for meals and one queues for medication. What does a female do if she is being groped or interfered with in a queue? What does she do if someone starts to bully her for her food or benefits? Another example concerns a frail lady who was bullied by a young male patient into handing him her benefit money.

Then there are the cases caused by proximity and geography. The men's toilets are sometimes at the beginning of the corridor leading to the dining room, and the doors are frequently left open while the toilets are in use. That is not the fault of the mentally ill people who leave them open, but it should not be visible to women.

What can I say in the short time that remains? There is a risk that the pendulum will swing too far. This keeps happening in mental health. At one time, the pendulum swung too far in the direction of institutionalisation: anyone who had anything wrong with them was put away for years—for the better part of their lives, sometimes for ever. That injustice was recognised. Then the pendulum swung the other way, with care in the community, and hardly anyone was admitted as an in-patient.

A compromise has now been reached in distinguishing between those who need to be long-term in-patients and those who can do well in the community. That is good, but I was disturbed to hear the Secretary of State say some time ago in a statement on mental health that community care had failed. No; part of it failed, and part of it succeeded. Now we are trying to get the balance right.

I appeal to the Minister to come out from behind the obfuscation of official language. He cannot have it both ways. Either the Government believe in the principle of single-sex wards, or they believe in the philosophy of a "normalising" environment—in which the single-sex

[Dr. Lewis]

wards that he is talking about relate only to very basic functions, and there is nowhere for women to be during the day without the intrusion of men. If the Minister's concern is genuine, he must say once and for all tonight that the idea of creating a "normal" environment by putting sick men with sick women, in circumstances in which they cannot be held responsible for their actions, is fatally flawed, is unacceptable, and will finally be rejected.

10.32 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I thank the hon. Member for New Forest, East (Dr. Lewis) for giving me notice of some of the points that he has made. I congratulate him on raising such an important subject tonight. I know that he has a long-standing interest in it: indeed, I believe that he is one of only a few hon. Members to have displayed such a continuing interest. I am grateful to him for giving me the opportunity to set out the Government's intentions in relation to mixed-sex accommodation in psychiatric units.

We should see the issue in the wider context of the Government's plans to modernise mental health services, which we outlined at the end of last year in the strategy document "Modernising Mental Health Services". In that document, we tried to make it clear that we wanted services to be safe, sound and supportive—safe to protect the public, patients and staff, providing effective care for those with mental illness at the time when they need it; sound to ensure that patients are given the best and most appropriate care and treatment in the right settings, and have access to the full range of services; and supportive through work with patients, carers and local communities to help people to lead lives that are as independent as possible.

Effective responses to mental health problems require three elements to be in balance: resources and the systems to make the best use of them, legislative powers, and the processes of care. Deficiencies in one area cannot be compensated for by change in another. Increasing resources—which we are doing—will not be cost-effective unless the necessary care processes are in place; strengthening legislative powers cannot overcome the problems of inadequate resourcing. We recognise that reform in all three areas is needed to modernise mental health services.

Our plans for mental health services, taken with our proposals for modernising health and social care, add up to a comprehensive set of policies that will provide a new vision for mental health services. Our new vision is underpinned by new investment—the hon. Gentleman did not refer to it, but I am sure he will not mind if I do—of £700 million over the next three years. That sum represents the largest single increase in investment in mental health services since the NHS was established in 1948. It will be supported by the development of a new mental health national service framework, which will set new service models, and by a review of the current legislation.

In planning for high-quality mental health and social care, we do not, unfortunately, start with a blank sheet of paper. Instead, we inherit a complex legacy of problems in policy, planning and the patterns of service delivery. All those need to be addressed. That will take time, but the plans set out in "Modernising Mental Health Services" make clear the direction that we intend to take, with a clear set of objectives and a focus on new investment. "Modernising Mental Health Services" marks a new beginning for mental health provision in England.

On the situation regarding mixed-sex accommodation that we inherited from the previous Administration, it is worth pointing out to the hon. Gentleman, as I know that he has a balanced and sensible approach to these matters, that many of the problems that he rightly identified did not date from 1 May 1997. He will probably want to join me in regretting the fact that the previous Administration, whom he strongly supported, made such poor progress in eliminating mixed-sex accommodation in the NHS.

I am acutely aware of the concerns that have been raised about the safety of patients in psychiatric units. Like the hon. Gentleman, I have had meetings with former patients. I recently met four women who have at various times been patients in the Maudsley hospital. They expressed to me their serious concerns about harassment and serious assaults on acute psychiatric wards. I was extremely concerned by what those women told me of their own experiences. As we have done on previous occasions, I made it clear to them, and I do so again today, that we are committed to getting rid of mixed-sex accommodation in the NHS.

The hon. Gentleman developed his arguments in his comments. It might be helpful to him, and to all the other hon. Members who are present and who are clearly interested in the subject, if we start to define some of our terms. By "single-sex accommodation" we mean clearly defined, separate sleeping areas, separate day rooms and social areas, and separate toilets and washing facilities. Guidance will be issued that will state clearly that male and female toilets and bathing facilities should be located in separate areas, close to respective male and female sleeping areas.

The word "accommodation", about which the hon. Gentleman was concerned, means the whole range of buildings and types of living space used by patients in the NHS. It would be wrong for the hon. Gentleman to suggest that using the word "accommodation" is in any way a narrowing of our manifesto commitment to ensure the safety of women patients who use the NHS. We made a clear promise in our manifesto and we will keep it. I cannot make myself any clearer than that.

I was intrigued by some of the hon. Gentleman's comments. I have read the speech that he made when he introduced his Bill. He might be interested to reflect on some of the words that he used in that debate. Introducing clause 2, he said that it dealt with mixed-sex areas, not wards. He said:

> "I am not talking about big open spaces with male patients at one end of the room and female patients at the other, but all wards should have an area reserved for women if they want that. It would be a refuge room not unlike the ladies waiting rooms provided at some railway stations for women who want to wait in a women-only environment."—[*Official Report*, 12 December 1997; Vol. 302, c. 1267.]

I was rather surprised by the tone of some of the hon. Gentleman's remarks today expressing his concern about the use of the word "accommodation," which I do not think can be justified by what we have said.

I repeat that we will not tolerate violence against women anywhere in the NHS. We are determined that all women in mental health units should be assured of conditions that are safe and free from harassment and abuse. However, we cannot overnight repair the damage of many years' neglect and under-resourcing. The previous Government spoke much about safety, but we are determined to take action to make improvements to protect patients. We inherited a national health service badly in need of modernising, and that is particularly true of mental health services. We also need to bring about a change in culture. Outdated attitudes and practices have no part in the revitalised services that we want to bring about.

What action are we taking? We are taking action on several fronts. We have set the national health service objectives to implement our commitment to the elimination of mixed-sex accommodation. We are monitoring its performance in achieving those objectives and we are to issue further guidance on mixed-sex accommodation. We are investing in staff training and we will ensure that variations across the country are reduced through the implementation of the mental health national service framework, which, in turn, will be monitored and enforced by the Commission for Health Improvement.

I want to say a little more about each of those areas to show that a substantial amount of work is taking place to deliver our commitment to getting rid of mixed-sex accommodation. First, the NHS has been given three key objectives: to ensure that appropriate organisational arrangements are in place to secure good standards of privacy and dignity for all hospital patients; to achieve fully the patients charter standard for segregated washing and toilet facilities across the NHS; and to provide safe facilities for patients in hospital who are mentally ill which safeguard their privacy and their dignity. *[Interruption.]*

We have made it clear—I say this in response to the sedentary intervention from the hon. Member for Rutland and Melton (Mr. Duncan)—that we expect 95 per cent. of health authorities to have met those objectives by the end of 2002.

Last August, we issued a monitoring tool to ascertain the progress of the NHS towards achieving those objectives. That contained a checklist to assist health authorities in monitoring the processes in place to deliver good physical segregation of the sexes in hospital. It also included additional arrangements for mental health in-patient facilities.

The NHS executive has monitored progress in achieving the objectives that have been laid down and the Government have already published two reports, which show health authorities' progress in this area. A further monitoring report will be published in the spring. We continue to keep this issue high on the NHS agenda, through the performance management systems that we are introducing, and to check hospitals' capital plans to ensure that the money that they have been given contributes towards the elimination of mixed-sex accommodation. As a clear signal of our commitment in that area, £70 million has been earmarked specifically for that purpose from the NHS capital allocation for next year.

The monitoring checklist produced by the NHS executive included specific points to check that the safety of patients in mental health units is maintained, but we want to go beyond that by producing more detailed guidance that specifically addresses the issues for vulnerable, mentally ill people in hospital. Although there are constraints on the ability of NHS trusts to maintain the best standards in their existing stock of buildings, they must do what they can, within the constraints of the accommodation, to protect patients' privacy and dignity.

We have made it clear that new developments must achieve best practice standards in providing separate accommodation for the sexes. Each of the new schemes is being scrutinised by the regional offices to ensure that they eliminate problems and that they comply fully with the patients charter requirements.

When I addressed a conference of hospital designers and service providers last month, I announced that we would be issuing further guidance for mental health units in the late spring. That guidance will help to inform discussion locally about how to achieve the targets of privacy and dignity. It will also contain examples of good building design and solutions to varying ward layouts and requirements for operational policies that ensure the safety, privacy and dignity of all patients within the NHS.

We want to ensure that trusts have proper management policies in place and protocols to prevent assaults. The guidance will also give advice on what to do, both at trust management level and at individual ward level. It will cover such issues as the assessment of each individual's needs and the risks that they may present; speedy, robust arrangements to deal effectively with staff, or patients, who sexually abuse or harass patients; and monitoring of complaints to enable identification of problems over the care and treatment of women patients.

The guidance will also make it clear that each ward should have a written policy relating to the safety of women and that a designated officer at senior level in the trust should have overall responsibility for the safety of women. I could say more, but we will shortly run out of time.

All those requirements will be reflected in the mental health national service framework, which will specifically address unacceptable variations in services across England. It will set national standards for health and social care and establish performance indicators to measure the progress made by those services.

I can assure the hon. Member for New Forest, East that the NHS will not be complacent about the safety of women. There is no place in the health service for discrimination, sexual harassment or assault—at all. Women must feel safe in mental health services. That is our objective and that is what we will deliver.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Wednesday 10 February 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Art Market

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

9.34 am

Mr. Peter Brooke (Cities of London and Westminster): My first, very pleasant, duty is to thank you, Madam Speaker, for the serendipity under which we meet this morning to debate the British art market, in the context of the European Union, within 15 days of a critical Council meeting of EU Trade Ministers, with the seemingly innocuous, but potentially devastating, subject of droit de suite on the agenda.

Secondly, I must again declare my own unremunerated interest as president of the British Art Market Federation, a body created in the closing years of the previous Government, at the request of that Government, to provide a single conduit for the market to make representations to the three Departments that share umbrella responsibility for different aspects of the market's affairs. In alphabetical order, those Departments are the Department for Culture, Media and Sport, the Department of Trade and Industry—appositely represented today by the Minister for Competition and Consumer Affairs, given that the Council of Ministers meets on 25 February—and Her Majesty's Treasury. I pay tribute to my hon. Friend the Member for South-West Hertfordshire (Mr. Page), who initiated the British Art Market Federation, and to the way that Ministers have acted to date on behalf of the market. I include the Prime Minister in that tribute.

Thirdly, I thank parliamentary colleagues who are attending this earliest of events in the parliamentary day. I risk sounding like the dodo in "Alice's Adventures in Wonderland" by saying that all have won and all shall have prizes, but I shall certainly embrace brevity in the hope that the maximum number of my colleagues can speak, and I hope that they will follow my example. I am particularly grateful to my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) for encouraging me to initiate this debate.

Although I risk playing the dodo, that charge cannot be laid against the British art market. The market's history goes back centuries, but its practices, services and scholarship are highly contemporary. Its integration with the continent is long and profound. If a flood of church art and church furniture left this country for the continent in the aftermath of the reformation, a similar tide returned during the neo-Gothic period of the first half of the previous century under the influence of the younger Pugin, who did so much to adorn this Palace.

If it is timely that we meet within 15 days of the Trade Council, it is also timely that we meet within 10 days of the 350th anniversary of the death of Charles I, whose martyrdom, in the eyes of some, makes him the putative patron saint of British art collecting—a practice that was reinforced by the grand tour of subsequent centuries. Continental artists and craftsmen have been as welcome here as they have been prevalent—from Rubens, Holbein, Van Dyck and Kokoschka to French carvers and Italian plasterers—and vice versa.

A peculiarly British contribution to the market is our genius, attributed to us by Bonaparte, as shopkeepers, which covers a multitude of skills and functions. The British Art Market Federation is made up of 15 different organisations and, if ours is a niche market, it is a larger niche than most: more than £2 billion is involved and it employs more than 50,000 people. The market can be read across into hotels, restaurants, other shops and theatres—many of which are concentrated in my constituency—as the magnets of our great art fairs bring foreigners from outside the European Union to London.

If that market leadership were a lonely issue, the preoccupation of the European Commission with level playing fields might be more tolerable. What is ultimately anti-European about the Commission's interest in the market is that the practical consequence will primarily be not to transfer business to the continent, but to move it inexorably from the European Union to the rival markets of Switzerland and the United States. Last week, elsewhere in this Palace, during the Standing Committee proceedings on the Greater London Authority Bill, I tabled an amendment stating that the mayor of London should pay due heed to London's global competitiveness. In the context of today's debate, a similar duty should notionally be laid on the Commission: to pay due need to the European Union's global competitiveness.

The great Bagehot remarked that in 1802 every hereditary monarch in the world was insane. In this year of grace, I do not want to lay such a charge against the entire Commission, but there is a manic quality to its thinking on the subject of our debate. Europe's economic welfare is not so well founded that we can afford to behave like Gadarene lemmings and cheerfully expel our traditional businesses to Geneva and New York. Why do I say that? Because, in a world of narrow margins, arbitrary transaction costs are slow poison to the competitiveness of even the healthiest of industries. The market here is threatened, first, by the charge of droit de suite—the imposition of an extra cost whenever a work of art changes hands up to 70 years after its creator's death. Colleagues will dissect the absurdities, contradictions and excesses of that apparently virtuous principle. It is threatened, secondly, by a doubling of value added tax in this country on works of art imported into the European Union.

My principal charge against the Commission is its unwillingness to face the reality that those moves will not enlarge the EU market; they will simply export trade and jobs to competitors beside Lac Léman and the Hudson river, who could be forgiven for scarcely believing their good fortune. The Commission has an obligation to us all to explain why that analysis is wrong. Its inadequate economic justification for the droit de suite proposal two years ago was subject to acute criticism, which in any intellectually rigorous climate called for a rejoinder,

[Mr. Peter Brooke]

but answer came there none. The analogous request from Her Majesty's Government for an impact study has been similarly disregarded.

The Commission was due to publish a review of the effects of VAT by the end of last year. There are rumours that it will dismiss the risks, but six weeks into the new year it has not been published. That might be charitably attributed to embarrassment about its intellectual rigour, too.

The great artist, Max Ernst, told the story of how his father had painted their garden omitting a tree for reasons of composition, but had then been so troubled by what he had done that he had gone out and cut down the tree. That story has two morals in today's context: first, that we are in danger of needlessly cutting down one of the great trees in the European forest; and, secondly, that the event is not being attended by the intellectual rigour that Max Ernst's father displayed.

One rejoinder that the Commission might make is that the percentages are small and their effect is being exaggerated. By the same lucky chance that is giving us this debate, last Saturday our television screens showed a film of that European cockpit, Yugoslavia, during the last war. A black American soldier complains to Edward Fox that his high explosives seem to have had no visible effect on the dam that they seek to blow up. Edward Fox languidly replies that he must not be in a hurry—the dam is very large and the high explosives very small; the high explosives will create a wound through which nature will then do its work. Just such a sequence of events threatens the British art market, and thus the European art market as well. Initially, the effect may seem small, but the nature and essence of markets will ensure that, in the fulness of time, the imbalance of costs will transfer advantage massively outside the European Union.

The percentages may seem small, but they deter trade. In a world where 70 per cent. of the droit de suite paid in France in 1996 went to the six or seven impressionist families, a small percentage of a large sum would still be massive.

What are we asking of those on the Treasury Bench? My right hon. Friend the shadow Chief Secretary, whose pamphlet last year did much to illuminate the issue, will spell out the official Opposition's view. My plea, which is understandably on behalf of the British Art Market Federation, is for time. Time in the EU means derogations—a derogation of decent length in connection with droit de suite, if that directive is to come, and an extended derogation for VAT. I ask for time because, in the recent past, time has not been used by the Commission, to use my metaphor of the dam, to test the dam to see how genuinely secure it is against the flood waters moving out of the EU, as the ecclesiastical furniture moved out of this country in another period of seismic European development after the Reformation.

I close on a personal note. I have lived thrice on the continent: twice within the European Union and once outside. I have no little sympathy for the European ideal, but it troubles me when I see us collectively acting contrary to Europe's best interests in creating an unnecessary level playing field, as in the garden of the Ernst family. Composition has much to recommend it, but global competition is ultimately all. However, my views are as nothing compared to the frustration and sadness of the natural internationalists who make up the art market in this country.

A moment ago, I mentioned Yugoslavia. One of the taproots of our European culture is the Homeric saga of the Trojan war, excavated by a great German scholar. Contemporary scholarship says that that war was about competition for trade routes rather than possession of a great beauty. It would be sad today if we were to lose not only the trade routes but the beauty.

9.44 am

Mr. Tam Dalyell (Linlithgow): That eloquent and elegant introduction by the right hon. Member for Cities of London and Westminster (Mr. Brooke) encapsulated the problem. It now behoves me to be succinct.

Incidentally, Madam Speaker, one of the shortcomings of these one-hour-and-25 minute debates is that Ministers are rarely given an adequate time to reply. The Minister in this debate has a great deal in the opening speech to which to reply.

Madam Speaker: Order. I regard these debates as a priority for Back Benchers.

Mr. Dalyell: Exactly, but Back Benchers deserve a reply to their questions; thus my speech will be in the form of questions.

The issue of droit de suite—part of the copyright law in several other EC states, which entitles artists or their heirs to receive a payment whenever an original work of theirs is resold while those works are in copyright—presents problems. What discussions have taken place with our European partners about their copyright laws? This issue is crucial to VAT harmonisation, which is partly at the root of the problem.

My second question concerns resale rights. The Government have described how, during our presidency, the UK was able to call for other member states to make cost-benefit analyses, and for the Council working group under future presidencies to study those. The then Minister, my hon. Friend the Member for Leeds, West (Mr. Battle), said:

> "even the Commission has accepted that royalty rates need to be looked at carefully."

In December, the then Minister for Arts, my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), spoke to the French Minister of Culture, Mrs. Trautmann, who said that France had not made a study of the resale right but would ask the Commission to make one. What has happened about that?

My third question concerns an answer from my hon. Friend the Minister for Competition and Consumer Affairs:

> "The draft Directive on artists' resale rights is expected to be on the agenda for the Internal Market Council on 25 February. While a large majority of member states, unlike the United Kingdom, support the principle of harmonisation in this area, it is not yet clear whether it will be ready for agreement by then. The Government are continuing to make clear their opposition to this measure, and are working to try to minimise the damage it would do to the competitiveness of the UK's international art market."—[*Official Report*, 8 February 1999; Vol. 325, c. *51*.]

That raises the question of the 2.5 per cent. and the 5 per cent. As the right hon. Member for Cities of London and Westminster said, 50,000 people are involved—the art industry is bigger than the music industry. The many related services, not only in London but in other centres such as Edinburgh, include picture restorers, framers, conservation specialists, shippers, insurers and exhibition organisers. Many substantial jobs are at stake, and the multiplier effect goes—I shall not say across the economy, as that would be to over-egg the pudding—very widely.

My fourth question concerns VAT and paperwork. May I ask a heretical question? Is it desirable for Europe to have VAT on works of art at all? The sum of it is that we lose out to Switzerland, and certainly to the United States. Is not import tax inappropriate? European Governments might get more into their treasuries out of returns from a healthy art market than they do by messing around with import tax.

My final question is on a slightly different issue. It concerns fraud and theft in the art market, which is a growing problem, especially in relation to bespoken theft. There are now specialists who do feasibility studies on action in transport getaways, break-ins, decoys, and all the other elements of highly professional art theft. I know that the Art Loss Register and James Emson do extremely good work. What is the police strength? Can my hon. Friend the Minister get figures from the Home Office on the seriousness of purpose of the police in this matter? I understand that art police resources have improved greatly in the past few years, but a decade ago they were deeply unsatisfactory.

As an example of the professionalism of art thieves, I point out that, at the time of the recent attempted theft at Belton house, if the police vehicle had gone at full speed down a particular lane, the police would almost certainly have sustained fatal casualties. Such are the lengths to which the perpetrators of the planned seizures of treasures go, and there is a huge amount of money in it for them. Are the police serious about counteracting these crimes? This is not an absolute police priority—that would be silly—but can the Minister tell us what is being done about this problem?

What about the artefacts that are coming in from eastern Europe? The hon. Member for South Staffordshire (Sir P. Cormack) used to lead the all-party arts and heritage group. I vividly remember visiting churches in Czechoslovakia, some of which were locked and others from which many artefacts had been stolen for the Amsterdam, Frankfurt or London art markets. The icons from eastern Europe—not least from the former Soviet Union—flooded out from the places in which they belonged. That is a serious matter for anyone who is concerned about the European heritage. Can anything be done about that? That may be easier said than done, but it is a real problem.

9.51 am

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I have little to add to the eloquent plea made by the right hon. Member for Cities of London and Westminster (Mr. Brooke). The debate is timely, because the decisions of the Commission are imminent. The case that the right hon. Gentleman deployed was opened most forcefully last year by the right hon. Member for Wells (Mr. Heathcoat-Amory), who I think will contribute to the debate later. We are grateful to him for focusing on this threat to a major British trading activity.

Is the Minister aware that these impending measures have already substantially transferred business from this country to the United States and Switzerland in anticipation of the almost inevitable—as it is perceived by the art market—development of the tax regime, especially the ending of the derogation from the sixth directive at the end of June this year, which will increase the VAT on imports from 2.5 to 5 per cent? It is my understanding that that measure can be reversed only if there is a unanimous decision of the Council to that effect, and such a unanimous decision is thought unlikely.

It is important that the arguments against the ending of the derogation—I add my voice to that of the right hon. Member for Cities of London and Westminster in seeking prolongation—are carefully rehearsed, and that the case that may be argued by the Commission is answered point by point. If, as the right hon. Gentleman has suggested, its case is intellectually unsound, it should be answered by a strong rebuttal from Her Majesty's Government.

I am aware of some of the arguments by Directorate-General XV about the impact of the droit de suite proposals, but I have not yet been able to elicit from the Commission the arguments that it is deploying about the impact of value added tax. It is perverse of the Commission to proceed with this proposal in the mistaken belief that it is in the interests of the European Union to have common rates of tax on important works of art when the sole consequence, as the right hon. Gentleman properly explained, will be to damage European trade for the benefit only of those trading outwith the continent.

Mr. Anthony Steen (Totnes): The right hon. Gentleman says that the proposal will damage European trade, but is it not also true that it will damage British trade more than that of any other European country?

Mr. Maclennan: That argument will undoubtedly appeal to Her Majesty's Government.

Mr. Steen: But is it correct?

Mr. Maclennan: I believe that it is correct. However, as we must persuade 14 other Ministers of the virtues of our argument, it may be best to couch it in European terms. I do not disagree with the hon. Gentleman's assessment, however.

Mr. Geoffrey Clifton-Brown (Cotswold): Is not the real kernel of the argument that, although Britain will suffer the most, the European Union will also suffer? The 5,000 jobs that will be lost in Britain will not be redistributed to Europe: they will go to auction houses outside Europe, notably in Switzerland and the United States.

Mr. Maclennan: That is exactly the point; it has already been made, so I do not wish to labour it.

Will the Minister use his influence to prevail on the European Union and the Commission to make their case transparent, for there is still time? If the arguments are to carry any weight—the matter should not be decided merely on the basis of Britain's interests alone—the Commission's view should be published. We have not yet had the conclusions of the inquiry. I understand that the inquiry is being led not by Directorate-General XV,

[Mr. Maclennan]

which has some responsibility for the art world, but by Directorate-General XXI, which may have less direct understanding of these matters.

The harmonisation of droit de suite is a peculiarly perverse proposal. There is little evidence that droit de suite has been of great benefit to young artists, for whose assistance it was primarily devised, in the countries in which it operates—I am thinking particularly of France and Denmark. Indeed, young artists in this country have little expectation of deriving benefit from the proposal. They have expressed to a number of us the view that the complexities of seeking to raise and police such an operation are not worth the candle. Although it may benefit a handful of our most distinguished artists whose works command a high price in the secondary market, such as Mr. Lucian Freud, it will not give a great leg-up to young artists who are trying to make a living and establish a reputation, and for whom secondary market values are probably low.

Mr. John Townend (East Yorkshire): As a spokesman for probably the most Europhile party in the House of Commons, does the right hon. Gentleman accept that it is appalling that a British industry of this size should be destroyed or, at best, severely undermined, and there is nothing we can do about it? Have we not transferred too much sovereignty, if we are putting people's jobs and industry at such risk?

Mr. Maclennan: I do not see the necessity for that intervention. The thrust [illegible] remarks is criticism of what is proposed, and I feel that the hon. Gentleman's added emphasis would be more appropriately deployed in his own speech.

I am wholly opposed to this development. I do not think that the droit de suite is a practical or sensible way to try to assist young artists, or that the House need trouble itself with those who are already well established. The scheme has been relatively ineffective in the countries where it already operates; it has been hard to police, and I understand that a number of the companies involved have gone bankrupt. I think that the European Union is foolish to try to translate the scheme from one or two countries to all EU countries. This is not a suitable area for harmonisation, and the proposal should be resisted for that reason.

10.1 am

Sir Peter Lloyd (Fareham): I congratulate my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) on securing the debate, and on making his case so thoroughly, wittily and cogently. I would like to say that his speech was also timely, but I fear that the die is cast—although I hope it is not. We shall soon see.

The British art market is of world significance, second only to that of New York. It gives employment to upwards of 40,000 people, in supporting professions and skills. My right hon. Friend's speech showed what disaster the ending of the derogation, the doubling of value added tax to 5 per cent. and the imposition of the droit de suite will bring in their train. We know that those developments will be disastrous. When VAT was first imposed at 2.5 per cent. in 1994, business from non-EU countries fell sharply. It is not that 5 per cent. is high as such things go; but the international art business can easily migrate to where the tax regime is favourable. Why should anyone continue to buy, sell and auction in London when it can be done far less expensively and with much less red tape in New York or Zurich?

If the business lost to the United Kingdom were, as a result, distributed more evenly around the EU, there would be some logic in the EU's plans, but the rest of the EU will gain nothing—except, perhaps, a little more VAT, at the expense of jobs and the income tax that those jobs provide in the UK. The planned levy—the droit de suite—on modern art sales, to enable the artist or, in most cases, the artist's heirs to benefit from the artist's continuing popularity and every successive sale of his work, will have a similar effect, driving business out of London and out of the EU. Switzerland and the United States have no such levy, and buyers will go where they do not have to pay it.

If the levy really did help and encourage struggling artists, there would be some sense in it, but in France—where, as my right hon. Friend observed, there has long been such a levy—the money goes largely to the estates of rich and successful artists after they are dead. It is of little assistance to struggling artists with no early resale expectation, whose resale potential, such as it is, will no doubt be discounted in the prices that they are currently obtaining. It will generally be of use to them only after they have become rich and successful—by which time they will probably have died.

If those two measures are implemented, they will make nonsense of the argument that the EU's central mission is to achieve a world-competitive European economy. They will destroy London, which has already been damaged by the original imposition of VAT in 1994, as an internationally competitive art market.

Mr. David Davis (Haltemprice and Howden): My right hon. Friend has spoken of the vital importance of the industry to the United Kingdom, and the damage that could be done to it. The Luxembourg convention, which exists for qualified majority voting procedures, is designed to protect countries' vital national interests. Should it be invoked in this instance? Should Britain make the point that the industry is a vital national interest, and ask the EU to drop the qualified majority voting approach? France did that twice while I was a Minister.

Sir Peter Lloyd: The industry is certainly a vital national interest, and one that is particular to this country, although it benefits the whole of Europe. It is this country that receives the trade that benefits the rest of the European Community. I shall say more about that, and I hope that the Minister will be able to tell us more than we already know.

The European Union presents itself as wholly respectful of, and encouraging to, the special character and skills of member countries. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) implied as much in his intervention. It is extraordinary that, in this case, the EU appears to be intent on annihilating a particularly successful aspect of British cultural and commercial life for the sake of the hobgoblin of bureaucratic consistency. It seems that the European Commission may again be teaching us the lesson that, in the EU, a derogation—however justified in common sense—is seldom a final victory for common sense. All too often, it is a defeat for common sense temporarily postponed.

I understand that the Commission was going to review the issue thoroughly by the end of last year, but that has not happened. Certainly, no review has been published. I hope that the Minister will tell us that a review is on its way. I hope that he will be able to convince the House that I am too pessimistic, and possibly too cynical, and that the Commission is thinking again, and will come up with constructive proposals that enable the London art market to survive and flourish. Failing that, if the Commission has not yet seen the light, I hope that the Government have at least brought together a blocking minority of fellow member countries that have seen the light, or that they are considering invoking the Luxembourg compromise.

If the Government are serious about protecting British interests in Europe—as they say they are—and, in this instance, protecting the overall long-term interests of Europe, they will already be taking such action. I am sure that the Minister will want to let us know what is happening.

Mr. Steen: Might not the Government also consider asking the Commission to pursue the fiche d'impact? I believe that European law obliges the Commission to pursue it in the case of all directives or rules and regulations that have an impact on European countries. It has to conduct a study to show the effect that a directive, or rules and regulations, would have on employment or trade in all European nations. Should the Government try to persuade the Commission that it should not proceed with this arrangement until it has carried out a fiche d'impact? I believe that, if the Government have not done so, they should.

Sir Peter Lloyd: There are a number of things that the Government could do. I am happy to serve as the vehicle for my hon. Friend's question to the Minister, and I look forward to the Minister's answer.

10.9 am

Mrs. Virginia Bottomley (South-West Surrey): My first objective is to strengthen the Minister's determination to fight this case. Secondly, I want to congratulate my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) on his eloquent and effective speech, in which, as ever, he deployed all his skills. Not only is he, like me, a former Secretary of State for what used to be National Heritage; he is a former Treasury Minister, and a former Whip. His skill in that last regard can be seen from the fact that he has been able to produce so many hon. Members for today's debate. Thirdly, I intend to make the shortest of this morning's speeches.

When I was Secretary of State for National Heritage, I was inevitably overwhelmed by people who were looking for cash handouts. Supporting arts, sport and heritage is part of the Government's responsibility—the national lottery makes it easier—but it is also to create a climate in which successful cultural industries can flourish.

The British art market is one such formidably successful industry. It is not looking for cash handouts, but it needs a regulatory system that respects its independence and effectiveness. Above all, it needs Ministers who will fight its cause. I pay tribute to my colleagues in the Department of Trade and Industry and in the Treasury during my time in office, who were part of that determined campaign.

As has been said, we face an extremely serious position. The industry is not only an enormous cultural asset, but a great commercial contributor—it provides up to 50,000 jobs. Many businesses are involved—not just the great four of Sotheby's, Bonham, Phillips and Christie's, but many other smaller and expert industries, restorers, valuers, dealers and galleries, which in themselves feed further into the tourism industry, which has become so important.

Two issues have no logic or sense. It has been made clear that the imposition of the 5 per cent. VAT on imports would simply benefit New York, Switzerland or the far east. The droit de suite would bring precious little benefit to young artists, and there are many other ways to assist them.

At a time when there is growing hostility to the idea of a Europe led by ideology, it is enormously important for the Government to act now on the basis of the evidence and of pragmatism to safeguard an industry that is vital to Britain and to our people.

10.12 am

Mr. Ian Taylor (Esher and Walton): I support the condemnation by my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) of the Commission's proposals. I do so with some sympathy for the Minister for Competition and Consumer Affairs. I was his predecessor in the previous Government and dealt with these matters. It is appropriate that a Department of Trade and Industry Minister is on the Front Bench, because the issue stems from the whole genus of measures that come under copyright.

I agree with my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley). The industries that are covered by copyright, and for which it is important that intellectual property is protected, are among those that do most to benefit the British economy. They include the music industry—the commercial aspects of which I was also responsible for—publishing and many others. They are at the heart of what we have been proud to achieve in European and world markets. We send an important message to the public in not overlooking the contribution that those industries have made to our commercial as well as cultural life.

When I was upstairs in a Standing Committee at the beginning of 1997, my right hon. Friend the Member for Cities of London and Westminster also made a forceful presentation of the case for the British art market. There is no doubt in these circumstances that the Commission has made a monumental error. I rapidly say that I happen to be one of those Conservatives who is a Europhile, and that the Commission is important for us to carry out our objectives within the single European market. As a general point of principle, without the Commission,

[Mr. Ian Taylor]

we would not have made tremendous progress in the European Union in breaking down trade and non-tariff barriers.

Mr. Dalyell: As a fellow Europhile, may I ask the hon. Gentleman a matter of fact? When he was dealing in a ministerial capacity with Commissioner Monti, what did commissioners say in defence of the droit de suite?

Mr. Taylor: Commissioners said a great deal. Commissioner Monti and the Internal Market Council had many discussions on those matters, none of which was convincing. As my right hon. Friend the Member for Cities of London and Westminster has said, their undertakings to come forward with further evidence and documentation did not materialise, certainly not while I was a Minister.

As someone who is not, in principle, against the Commission, I hope that the House will bear with me when I say that the Commission is not always infallible. On this occasion, it has been fallible. It has made a mistake about harmonisation of a sector where the damage will be to the European Union as a whole, and specifically to one member country—the UK.

There seems to be an argument for looking at taxation across the European Union and for saying that there are cases where harmonisation will improve the competitiveness of the European Union, but proposals should not be made to try to create harmonisation if they damage one country and do not benefit others in the European Union itself. That is a more communautaire view than that being expressed by Commissioner Monti.

I want to assist the Minister in the deliberations in which he will be involved in the next few days. Does he know from the legal advice that he is receiving whether the proposal has been made under the right article—100A? I was nervous of attempting to label it a taxation measure because I feared that that may not count in our interest in the long term, but I would nevertheless be interested in what the Minister has to say.

Has the Commission attempted to show that those countries that have not applied the artist resale right have done that because it does not work in favour of those whom they most hope to benefit—the struggling artists—and tends, as has already been said, to apply only to the estates of dead artists who have been extremely successful? Has the Commission examined the way in which the art market will move off shore, either to Geneva or to New York, as it undoubtedly will? It will probably not move to California because it has a levy; there is an internal distortion in the United States market. Nevertheless, that is a matter for the United States, not an argument that the Commission can use. That is why I raise it; I know that the Commission has used it.

Those are serious questions. I am not sure that the Commission has done its homework since the days when I was attempting to put pressure on it. The matter is too important for the art market in the UK, all the jobs that it provides, the prospects for the art world and Britain's role in the world.

I hope that the Minister can give more up-to-date information than was available to me when I left office. I hope that he will use every endeavour to put across that we make not an anti-European criticism, but a criticism of the way in which the Commission is applying certain principles. We must stand up against its making that mistake. If it makes it, the Commission will damage its credibility on a much wider basis.

10.18 am

Mr. James Gray (North Wiltshire): It is an honour to follow my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), whom I congratulate on securing the debate on such an extraordinarily important issue. It is also a great honour to follow so many other distinguished and eloquent right hon. and hon. Friends on the Opposition Benches and hon. Members across the Floor. I am particularly grateful to them for their concise, brief contributions, because that allows less distinguished Back Benchers to get a word in edgeways, which, as Madam Speaker made clear earlier, is the purpose of such debates.

The debate is broader than simply the issue of art. It is about the way in which we tend to talk about many difficult and different political issues. In the world and in the Chamber, we tend increasingly to use single, often meaningless, words to try to encapsulate the things that we are getting at.

For example, the word "modernisation" is uttered in the Chamber more often than any other word. It is, of course, entirely meaningless. All Governments modernise everything. "Equalisation" is another oft repeated word. It seems to be presumed that equalisation is necessarily a good thing, but it may mean making things worse—equalising down. Integration may mean forcing together into one place things which should be different. Harmonisation is perhaps the greatest of those meaningless mantras that Europhile friends tend to use so much. They suggest that harmonisation is necessarily a good thing, but today's topic amply demonstrates that it is not and that the Government should stand up for British, not European interests. We have a strong art market which is the envy of the world and the mantra of harmonisation could lead to its destruction.

Either of the tax proposals before the Commission would damage the art market, but together they could destroy it. In that context, and given that there has been no economic analysis of their effects, it is quite extraordinary that the proposals got off the starting block. They provide a bizarre window into the workings of the European Commission, which produces politically correct, wonderful sounding ideas, for example, that tax harmonisation will help young artists. They all look marvellous on paper, but the costs have not been considered. What progress has the Minister made on asking the Commission to look into precisely what the proposals would mean for the British art market?

Once again, Britain seems to be at the receiving end of the rawest deal from the European Union. We are expected to sit back and say, "This is all fine. Harmonisation is marvellous. It is the European Union at its best. Okay, chaps. Crack on. Qualified majority voting is fine. We'll lie down and take it." Perhaps this should be the issue on which the Government should say, "No. Hang on a minute", as Baroness Thatcher, with her handbag, did so memorably on the subject of the rebate. We ought to take a stand. It may be a small issue, but it may be the one on which the Government should stand up and say, "Enough is enough. We intend to go no further."

All our European partners—I am not sure that I like the word partners—have so much to gain, but we have so much to lose as the proposals would do down the London art market. Unlike us, they do not care what happens to the international art market because they play just a small part in it. Our art market is unique in Europe and we should stand up for it.

If the Government are looking for a cause to demonstrate their clout in Europe, about which they brag so often, what about this one? Perhaps they should stand up and say, "Okay, Europe. We are going to make you listen and do something about this iniquitous tax." Both proposals are entirely indefensible and would damage an immensely successful and internationally renowned British industry.

Mr. Ian Taylor: My hon. Friend used the word "tax". Is he absolutely certain that it is a tax and involves the Exchequer, or is it a levy? Precision is quite important when the Minister has to raise the matter at the Internal Market Council.

Mr. Gray: My hon. Friend is quite right. I used the word loosely. I was referring to VAT derogation, which is a tax. However, the provision which I tend to refer to as "droit de seigneur", although that that is not quite the right expression, is a levy rather than a tax. I apologise to my hon. Friend, who is quite right.

In the circumstances, the Minister's response in a written answer to my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) was unsatisfactory. He said:

> "The Government . . . are working to try to minimise the damage it would do to the competitiveness of the UK's international art market."—[*Official Report*, 8 February 1999; Vol. 325, c. *51*.]

The Minister referred to minimising the damage, not stopping it. He did not say that Britain would not agree to the proposals, but appeared to accept that they would be introduced and was looking for ways to minimise their damage. If the Minister intends to do something to stop the iniquitous proposals from Europe, his answer to my right hon. Friend was weak and he should correct it.

At the Internal Market Council on 25 February, I hope that the Government will make it clear that we shall have none of it and that through our high-level contacts we shall seek enough allies in Europe to stop the proposals. I understand that the Italians may be considering voting with us. Perhaps the well-known hotline between No. 10 Downing street and the Prime Minister of the Italian Republic could be used usefully on this occasion, not to help Mr. Murdoch but to help the London art market.

I call on the Government not just to pay lip service to the marvellous mantras of which they are so beloved, but to help one of our key British industries—the British art market—and to do something on 25 February that will not necessarily help Europe, but will help Britain.

10.25 am

Mr. Andrew Tyrie (Chichester): I congratulate my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) on securing today's debate. My interest in this issue goes back to when I was briefly special adviser to the Minister for the Arts in the mid-1980s, but it was revived in the autumn when I found myself in a fourball, playing golf with the finance director of one of the major auction houses. He told me in a very matter-of-fact tone of his plans for the auction house to move abroad, with most of its business going to New York and some to Geneva, if the EC proposals were implemented. So he already had contingency plans well in hand. Of course, auction houses want to move outside any zone where European regulation may be imposed on them as a result of the droit de suite.

We have all heard the arguments and almost everyone agrees with them. Clearly, VAT at 5 per cent. will drive away business. VAT also causes enormous administrative hassle. The droit de suite will not have the effects intended for it. It does not benefit artists, but their children or grandchildren as it lowers prices in the primary art market. Like VAT, it also drives business abroad and was rejected as an approach by the Whitford report on copyright on the grounds that it would be unenforceable as some of the art market would go underground and the rest would go abroad. Today, we all agree that droit de suite would be a disaster.

A major task rests with the Government to provide as much information as possible by answering many of the questions that have been raised today. That would enhance the force of the arguments that Britain could make against those measures.

Let me summarise some of the questions that the Government should try to answer. On VAT, what estimate have the Government made of the encouragement of the repatriation of our cultural heritage that resulted from the absence of VAT prior to 1994, and the imposition of the seventh VAT directive? A similar question for the Government is their estimate of the contribution that 2.5 per cent. VAT is now making to the decline in imports since 1994. What is their estimate of the effects that raising VAT to 5 per cent. would have on art imports? Will the Government press the European Commission to publish its promised study on the effects of VAT on art imports? I understand that it was promised by the end of 1998, but it is still not forthcoming. Will the Government try to negotiate an extension of the derogation to keep VAT at 2.5 per cent. at least until the Commission has published its report and its conclusions are digested?

Can the Government confirm that they are still convinced of the harmful effects of droit de suite and its perverse and damaging effects on artists and the art market? Will they carry out a short study on those issues and publish their findings so that there can be complete clarity as to where they stand? Is there any scope for challenging the fact that droit de suite is being brought forward as a trade measure by the European Commission and is therefore subject to qualified majority voting, when logically, as has been pointed out by several hon. Members, it should be treated as a tax measure? Will the Government undertake to make further representations that it should be covered by the unanimity principle? If that is not possible—and perhaps it is not—what efforts are the Government making to try to secure a deal with another major European country in order to secure a blocking minority under qualified majority voting? The Dutch are already allies. Probably there are one or two other allies around—the Irish perhaps. One more major country as an ally would secure a blocking minority.

If we fail in that action, have the Government considered—as my right hon. Friend the Member for Haltemprice and Howden (Mr. Davies) asked a moment

[Mr. Andrew Tyrie]

ago—whether there is any scope for using a Luxembourg compromise? What are the Government's views on the scope for use of a Luxembourg compromise in this case?

I believe that getting the facts into the open as much as possible will do most of the work for all of us in securing, or impressing, Britain's case on the Commission. If our case does not prevail, the losers will be clear—in lost jobs and tax revenue, and the loss of a centre of excellence, which will go abroad.

When I was on the golf course, I was struck by how relaxed the finance director of the major auction house was. Of course he was relaxed: he has his plans to go abroad well in hand. He does not really want to live abroad, but he will do so if necessary. Senior members of auction houses will go abroad. Although thousands of jobs will be lost, those right at the top will not lose theirs. People at the top of auction houses would rather stay in London—as moving would entail an economic cost in upheaval and a risk of losing business—but they are not the ones who will be hit hardest. The people who will be hit hardest are the people of Britain, who will lose jobs and a centre of excellence.

10.31 am

Mr. Geoffrey Clifton-Brown (Cotswold): I have been asked to speak in this debate, and shall make a very short speech. However, before I launch into the debate, I should congratulate my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) on securing this debate, which is timely.

The more one looks into the matter, the more nonsensical it becomes. As from 1 July, the seventh VAT directive will come into operation; tax on imported art from countries outside the European Union will be increased from 2.5 to 5 per cent.; and the derogation agreed on 13 December 1993 will end. Therefore, time is running out on the matter.

I ask the Minister what representations he has made to the Commission; whether a fiche d'impact has been prepared; and whether an impact assessment—which, under the terms of the seventh directive, was supposed to be completed by the end of 1998—has yet been received by the Government? If the Government have not yet received an impact assessment, we should ask the Commission for more time to implement the derogation. I hope that the Minister will be able to refer to that when he replies to the debate.

The British art market is worth £2.2 billion, is larger than the entire music industry market and provides about 50,000 jobs. The two proposals will put at risk a minimum of 5,000 jobs. Britain would lose those jobs essentially because we have the second most important art market in the world. It would be one thing—in a communautaire sense—if those jobs were to be redistributed across other parts of the European Union, but that will not happen. They will simply be lost to Switzerland, New York, Hong Kong and other art centres. The seventh directive therefore seems to be based on pretty thin ice.

We are considering also the droit de suite, which is a French term. I rather prefer the term "artists' resale right", which seems to have a more English ring to it. If we are to have an English tax, let us have an English, not French name for it.

It would be a different matter also if the tax were to benefit the general art market, but it will not. It will benefit comparatively few young artists' families, who could benefit in other ways. The problem with the droit de suite is that it has very high compliance costs, which alone are estimated to involve an income loss of £68 million.

Implementation of the VAT seventh directive to increase, from 1 July, VAT on imported art to 5 per cent., and the introduction of the artists' resale tax, will have a very damaging affect on the British market. I should therefore like to spur the Minister—in a cross-party and common-sense spirit—to ask the Commission again to re-examine the matter. After all, just before the 1997 general election, Commissioner Monti wrote to my hon. Friend the Member for Esher and Walton (Mr. Taylor) and said that he would very carefully examine the assessment of the measures' impact on Britain. He should live up to his words.

The Minister, the Prime Minister and other ministerial colleagues have already raised the issue with several fellow countries to determine whether a blocking minority might be obtained to ensure that the derogation is continued. I urge the Prime Minister and the Government to use every possible effort to discover whether we cannot find some common cause on the changes, and to ensure that their most damaging aspects are not implemented.

10.35 am

Mr. David Heathcoat-Amory (Wells): On behalf of the House, I should like to thank my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) for securing this debate, and for introducing it with his customary erudition and wit. He spoke not only for his own constituency—although he does represent perhaps the greatest concentration of dealers and auction houses in the world—but for the wider art market, which, as the hon. Member for Linlithgow (Mr. Dalyell) reminded us, extends way north of the border. We are speaking today not only for the great names in the art market but for the associated industries and the network of dealers and galleries across the United Kingdom, which employ upwards of 50,000.

A great British success story faces a serious and immediate threat not from any failing in its own endeavours—it is still the greatest and most competitive art market, certainly in Europe and possibly in the world—but externally, from two imposed taxes. My right hon. Friend the Member for Cities of London and Westminster has succeeded in his debate in uniting the entire House behind his cause. That is never an easy thing to do, but it has been done today. We have heard powerful and well-argued speeches from hon. Members on both sides of the House, representing every sector of opinion in the Chamber.

As we have heard, the threat we face comes from two directions. The first threat is the proposed doubling, from June 1999, of VAT on imported art. I repeat a question that other hon. Members have asked the Minister: where is the European Commission study that is required by treaty law before the change is made?

We know that, even with a VAT increase of 2.5 per cent., damage has already been done. The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said correctly that anticipation of the higher rate and of the droit de suite is already doing damage to the London and United Kingdom art market.

The second threat is the proposed resale levy, or droit de suite, that will be charged on the resale of works of art by any living artist or for 70 years after the artist's death. I believe that that is a fiscal measure—a tax—and should not have been introduced as a trade measure. Whatever it is called, its effects are clear: objects for sale will simply be transferred from the United Kingdom and out of the European Union. The levy savings realised by removing valuable objects for sale to New York will be greater than any possible freight costs or associated transfer charges.

The proposal encompasses not only paintings, but sculpture, manuscripts, tapestries and even photographs. The artist will receive nothing from the proposal. Either sales will be driven underground, by private treaty between individuals, or objects and paintings of any value will be transferred out of the European Union entirely. The proposal is crazy, defies common sense and will not help the European Union in any way. The beneficiaries will be dealers in New York, Geneva, Tokyo and every other part of the world.

The proposal is baffling. Dealers in New York are rubbing their eyes in disbelief at the Marshall aid in reverse. The European Union is proposing a measure that will quite certainly and deliberately transfer business, profit and employment from the European Union to north America. That is being done by the European Commission—supposedly the guardian of European interests. The Commission says that London has an unfair advantage by not having the droit de suite, and that sales are transferred from Germany and France to London. By exactly the same logic, if London has the levy forced on it, sales will be transferred out of the European Union altogether. The Commission is condemned according to its own logic.

My hon. Friend the Member for Esher and Walton (Mr. Taylor)—who comes to these matters with a sympathetic point of view—realises that the Commission has got it badly wrong. Of course, it is not the Commission or the staff in Brussels who will suffer—it is the London art market. It will not be the owners of the auction houses who suffer. The Commission has said, dismissively, that the entire campaign has been got up by Sotheby's, Christies and the big auction houses. They will not suffer—they already have salerooms in New York, and more auctions will be transferred there.

Those who will suffer will be the office staff, the experts, the packers, the porters and the associated industries—the framers, the restorers, the printers of documents and the little galleries associated with those businesses. They cannot move, and they will suffer. The Commission has a harmonising agenda. It does not have in mind the national concerns of member states.

Sir Michael Spicer (West Worcestershire): Will my right hon. Friend give way?

Mr. Heathcoat-Amory: If my hon. Friend will forgive me, I will not give way. I am trying to answer some points made in the debate. We only have a few minutes, and we want to hear from the Minister also.

It is to the member states that we ought to turn to defend national interests. That brings to the fore another baffling aspect of this whole affair. Why is the German presidency bringing forward the measure? Is it stupidity? Does Germany not realise the damage that will be done to employment and the interests of the European Union? I do not think so. The matter has been exhaustively discussed in working parties in Brussels, and I know from previous debates that the Government are fully engaged in the matter.

To be fair, I was impressed by a debate that we had last July when the Minister of State, Department of Trade and Industry, the hon. Member for Makerfield (Mr. McCartney), showed a thorough grasp of the issue and acknowledged that great damage would be done. He estimated that if the measure went ahead, we could lose earnings of up to £65 million a year, resulting in 5,000 job losses. He pledged to fight the measures. I am grateful for the way in which the Government have become engaged in the matter. It has been explained to the Council of Ministers exactly what is at stake, and there are many academic studies to back up our view.

I do not want to be misunderstood in what I am about to say. I admire modern Germany, and I am very slow to question the motives of either the European Commission or other member states. However, as they are proceeding in full knowledge of the damage that will be caused—which has been backed up by countless studies and many debates—I must conclude that this is a calculated attempt to damage an important British industry. If that is not the case, let us have an explanation. There may be resentment or jealousy that the British art market, centred in London, is somehow not fully European and perhaps gets its trade from a global market—perhaps too much from north America. That is the only explanation.

If that is true, the Council of Ministers, in two weeks' time, will be engaging in an act of quite unnecessary industrial vandalism. For the German Government to bring forward this measure under their presidency is curious. We know that the German Government were elected on a pledge to reduce German unemployment by 1 million. Sadly, that has not happened—German unemployment has risen to 4.5 million. The measure will not create jobs in Germany, but it will destroy them elsewhere in the EU. How can an organisation and a member state be proceeding with a measure that will cost European jobs, as has been proved in this short debate?

The matter is extremely urgent. The Internal Market Council meets on 25 February. As my hon. Friend the Member for North Wiltshire (Mr. Gray) said, now is the time to take a stand. The day after that Council meeting, the Council of Ministers meets in the form of a European Council, when all heads of state and all Prime Ministers will meet to discuss the European budget. Let the Prime Minister of this country use this as an example of the European Union damaging itself by allowing the ideology of tax harmonisation to overcome common sense and the commercial interests of member states.

I ask the Minister to request formally the Internal Market Council to postpone by one day its deliberations so that the matter can be raised at that higher forum. I believe that this matter should be the subject of a Luxembourg compromise. As the House knows, this is a mechanism whereby a measure brought forward under majority voting can nevertheless be subject to a national veto where important national interests are at stake. The mechanism has been invoked by other countries, including France. It should be invoked in this case.

The Prime Minister has said that he has influence in Europe. Let us see—let us use this as a test case of that influence. Let him prove it. The House is in no doubt

[Mr. Heathcoat-Amory]

that this is an important national asset. The threat is real, immediate and serious and we want something done about it.

10.47 am

The Parliamentary Under-Secretary of State for Trade and Industry (Dr. Kim Howells): May I congratulate the right hon. Member for Cities of London and Westminster (Mr. Brooke) on bringing this important matter to the House once again? Let me say at the outset that I have not heard a single word with which I disagree.

The point made by the right hon. Member for Wells (Mr. Heathcoat-Amory) is very important. I would like to think that the decision is not motivated by malice or jealousy on the Germans' part—I would hate to think that that is the real reason. I suspect that it has something to do with a matter that has not been raised this morning—the belief among Members of the European Parliament that this sounds like a good thing.

MEPs may believe that it would be better for the artists to benefit from the resale of their work, rather than a dealer. I can imagine colleagues from all political persuasions trooping into the European Parliament, thinking that their proposals will support young artists who will receive the benefits from their work in the future. In fact, they could not be more wrong.

I declare an interest—I was an art student. I was one of the rebels in the 1960s at Hornsey—the most famous art college in the world at that time. We destroyed that reputation pretty effectively. However, it was at that time that I began to understand that the network of dealers and the way in which the art trade works in London is vital in encouraging the undergrowth of young artists, creative talent and experts which later grows into great artists and great industries.

Mr. Ian Taylor: I am sorry to intervene on the Minister, but he mentioned the European Parliament. On 10 December 1996, the rapporteur of a Committee reporting to the European Paliament said:

> "It is important that the harmonisation does not lead to the decline of the art market within the European Union and its displacement to the United States or elsewhere."

There is some common sense evident in that opinion—I wonder how much further forward it has been taken.

Dr. Howells: I am grateful to the hon. Gentleman for reminding me of that, because I do not think that any progress has been made. That is the problem. I suspect that the gut reaction of many MEPs has been that the issue is a small one among many and that they may as well go along with the Commission.

The hon. Member for Esher and Walton, my predecessor in this job—in fact, he was my predecessor but one, as I came in after a little earthquake in July—made an important point. The Commission contends that harmonisation of the artists' resale right is a single market measure, but article 100A is the appropriate legal basis. The Commission rejects suggestions that the measure is a fiscal or social one, meriting a change in the legal base. In all honesty, I see no possibility of persuading the Commission to change the legal base.

Many right hon. and hon. Members have raised the possibility of our getting allies to fight this cause, but we have sought in vain for allies, as the previous Government did. We would have to get all the other member states to agree, as unanimity would be required in the Council. Article 173 provides scope for challenge, but only in relation to acts that are already adopted. We have significant doubts about whether the Commission has properly justified the proposal as an article 100A measure. Its failure to produce an impact report only compounds our doubts.

Sir Michael Spicer: What is the Government's position? A little confusion seems to have arisen in the House of Lords. On 28 January, Lord McIntosh gave a firm assurance that there would be no increase in the rate of VAT on art. I am told that Baroness Jay is now running around saying that that assurance was not a firm one and back-tracking on it.

Dr. Howells: I have not heard what Baroness Jay has said. We are implacably opposed to an increase in VAT and we will fight it however we can. I was very grateful to my long-term friend, the right hon. Member for Haltemprice and Howden (Mr. Davis), when he brought up the use of the Luxembourg arrangement—I have heard it called an arrangement, an agreement and a compromise—which I will consider seriously, because it is a central issue. The right hon. Member for Wells said that it was worth making a stand, and I agree entirely.

Mr. David Davis: I have every sympathy with my friend the Minister. Let me give him what I hope will be helpful advice, because I know what will happen: his officials and those at the Foreign Office will say that a Luxembourg compromise is not a good idea as it rocks the boat too much. That is what they always say. On at least one occasion, and I think on two, I have witnessed France invoking a Luxembourg compromise, claiming a vital national interest, most recently about a shipping industry issue, which was no bigger than this issue and was certainly not unique to France. That compromise was accepted by Germany and the rest of the Council. I have never heard of a better case than ours for a Luxembourg compromise.

Dr. Howells: I am grateful for that advice, and I undertake to consider it seriously and try to argue my corner.

Little has been said with which I disagree. My hon. Friend the Member for Linlithgow (Mr. Dalyell) raised an important issue that is not widely understood: the centrality of the trade. The trade is enormously important and tells us something about the way in which wealth is generated today. We have hundreds of debates on the coal and steel industries and on all sorts of manufacturing sectors, but we probably have only one great cluster in this country that is world class: the City.

The City attracts industries—some of them, including the art trade, have been around for a long time—that are integral to it. It is a way of life that generates wealth and creativity. The business of intellectual property rights, encouraging and rewarding creativity, makes a reality of the rhetoric, in which the Government and the previous Government have indulged constantly, of adding value to work. If we are to add value in a real sense by encouraging the undergrowth of young talent, we will have to get this right.

Perhaps the right hon. Member for Wells was correct in his analysis of why the measure was being pushed through under the German presidency. I know that the Austrians were keen to go ahead with it but could not find the time. I am amazed that Commissioner Monti sees fit not to publish his report. It will be months late. This is important to the British economy and, as the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said, to the European economy as a whole, but the Commission does not understand that importance. It is perhaps not properly understood that the art market is one of the drivers of the modern economy.

It seems a paradox that dealing in fine art, much of it old, should be so controversial. If we cannot encourage our young people to become artists, writers and designers, melding science and creativity, as some of our most brilliant companies do, we will not survive as a first-rate exporting nation. What we are discussing is crucial to that.

Mr. Clifton-Brown: Will the Minister comment on what the hon. Member for Linlithgow (Mr. Dalyell) said about fraud in the art market, and in particular the haemorrhaging of VAT when works of art are illegally exported out of the European Union?

Dr. Howells: It is interesting that the music industry has decided to employ its own police and investigators to track down piracy across the globe. Some romance attaches to computer piracy, but it is thieving—it is stealing other people's creativity and invention—and there is no doubt that the same is true in the art world.

It has been said that the industry could be driven underground. That would be the worst outcome. We cannot afford to do that. It is important that beautiful paintings, ceramics and other objects can be seen by the public and that we do not have a sub-culture of gangsterism, which could very well arise from the measure. I give the House an undertaking to continue the good work that was done by the previous Government in trying by all means to prevent that.

Mr. Tyrie: Since the European Commission continues to refuse to publish its report, will the Government publish their own estimate of the effects of the introduction of VAT and of droit de suite, and give it the widest possible publicity?

Dr. Howells: I certainly want us to present coherently the arguments that right hon. and hon. Members have made today, and the argument that we will put to the Internal Market Council on 25 February. As we speak, the matter is being discussed by the Committee of Permanent Representatives; it is that urgent. I hope that the messages that have come to me this morning will have some impact on the deliberations in Brussels, and I once again thank the right hon. Member for Cities of London and Westminster for bringing this matter to the attention of the House.

Human Rights (Women)

10.59 am

Mrs. Ann Cryer (Keighley): I thank Madam Speaker for allocating time for a debate on an extremely important issue previously, I believe, unmentioned in this place, probably due to a form of political correctitude. The debate concerns mainly the treatment of Asian Muslim women by their families. I pay tribute to, and thank, my hon. Friend the Member for Halifax (Mrs. Mahon) for giving me a great deal of support over the past 22 months on this subject and for encouraging me to call for this debate.

A few months ago, I met a couple called Jack and Zena Briggs. They had committed the unforgivable crime of falling in love and ultimately marrying. They are from Bradford, and their story has been told many times. Zena's fate had been sealed virtually from birth when her parents promised her to a first cousin in Pakistan, a young man whom she despised and regarded as arrogant, who had no English and who treated women as beneath contempt.

On the fateful day six years ago when Jack and Zena decided to run away and marry, they knew that there would be problems but hoped that, eventually, her family would accept Jack, as his family accepted her. That was not to be. To this day, a death sentence hangs over the couple, and, over the years, the otherwise decent Bradford Asian family has employed private detectives, bounty hunters and hit men to seek out their once much-loved daughter for the purpose of killing her and her husband, even stooping to punishing them by terrifying Jack's elderly mother who was dying of cancer.

Speaking of their present predicament, Zena said:

> "Every time there's a knock on the door your pulse quickens, not knowing who it is. Every time the phone rings, as you're picking it up and saying 'hello' you're thinking, Is this them? Have they finally found us? Is this another trick call to lure us to a rendezvous where we'll meet our deaths? When you're walking in the street and a car slowly pulls up at the side of you, you try not to freeze, as the palms of your hands begin to sweat, your breathing becomes rapid, your heart starts beating ten to the dozen. Is this someone just innocently asking for directions? Or could it be your executioner wanting to make sure it's you before he grabs you and pulls you into the car?
>
> You have no idea how it will happen when it happens."

John McCarthy, who well understands the effects of spending years on a form of death row, wrote the introduction to their book "Jack and Zena". To put their tragedy into context, I can do no better than quote him:

> "It is very hard to believe that this is happening in Britain today. But it is, and the story raises important questions about how we move on as a multiracial society. How can a family be free to plan to kill a daughter and the man she loves while the establishment appears unable or unwilling to work for a resolution? It is too simple to say that her family must just be made to drop their threats. Their actions come out of a cultural tradition that needs to be understood before it can be reformed. Reformed it must be for the sake of many other youngsters who wish to take up the personal opportunities of living in a multicultural society. It is vital for us to learn from this story to be better equipped to fight against racism. It is a tragic irony that it is Jack and Zena, the victims of this awful culture clash, who are the shining light of race relations in this situation."

On the day that I met Zena, I also met Asiya, although that is not her real name. At the age of 15, she was forced into a marriage with a much older man. After a few days of appalling treatment by him, she waited for her strength

[Mrs. Ann Cryer]

to return and, when sure that he was soundly asleep, made her escape. She phoned her mum, told her harrowing story, and asked if she could return to the family home. Her mother was completely unmoved, demanded that Asiya should go back to her husband and threatened that if she returned home, she would be killed. Asiya, now 16, is still on the run. Those two lovely, lively girls asked me to raise their tragic stories, whenever and however I could. I am unable to give any background to Asiya's story, save for the fact that she had a west Yorkshire—possibly Bradford—accent, and was too scared to give any details either to me or anyone else.

Having talked to many people in the Keighley and Bradford areas, and to female Muslim social and community workers in London, including a woman from the Muslim Parliament, I have formed the view that the increasing incidence of forced marriages, or attempted forced marriages, has little to do with religion. The question that I have asked myself and others so often over the past two years is why families are prepared to go to such lengths to force their daughters into such unsuitable marriages. The answer is often that it is their culture and that outsiders such as myself should not interfere with what are essentially community and family matters.

I cannot accept that view, nor did my hon. Friend the Member for Glasgow, Govan (Mr. Sarwar) who rescued two girls from a dreadful situation in Pakistan, which had been inflicted on them by their father. His brave, decisive actions effectively put his head on the political chopping block, a fate that I trust will not befall me and my hon. Friends who will raise similar issues this morning.

When, in 1983, I found myself unemployed for 12 months, I volunteered to become an unqualified teacher of English as a second language to young Asian women in their homes, mainly in the Highfield area of Keighley. I took on three women—Asiya, Ruqia and Ghanimat Jan—and spent every Wednesday morning with them for four years, learning a great deal more from them than they ever learned from me and, of course, getting involved—probably too involved—with family problems, disputes and celebrations. They all came here as young brides and, in common with young women entering the United Kingdom today in similar circumstances, had little, if any, English. They therefore had no knowledge of their civil or human rights. Worst of all, they had no immediate family to turn to if their in-laws were giving them a hard time.

To give an idea of what it was like for the women we were to help, we were given "Finding a voice" by Amrit Wilson, which was reprinted in 1981. One of the hundreds of quotes from Asian women sums up quite well their unhappiness at being taken to and abandoned in this very strange, cold, hostile country:

> "You ask me how I felt when we arrived here? Bad—I felt bad, to leave them all, everyone back in the village. Did I expect it to be like this? No, tell me, how could I? After all, I had never been here before, there was no means of knowing. I used to cry, not knowing anyone or anything, missing my own home. To live in one room after living in a country when houses are so open . . . It was hard, very hard."

I find the plight of those women, and their vulnerability, a greater worry than the plight of our UK Asian women. Many Bradford and Keighley women from both of those groups have good reason to be grateful to Philip Balmforth, a retired policeman who helps Asian women escape, go into hiding and live with some degree of security. Working alongside West Yorkshire police and Bradford social services department, he helps women fleeing domestic violence who are referred to him by doctors, nurses and social workers. He also helps the growing number of younger women who approach him for help to avoid unwanted marriages or who, having gone through the marriage—unwillingly—wish to leave. Many of those women are eventually helped by the very well-regarded Manningham housing association in Bradford.

The number of referrals to Philip has gone up from 168 in 1996 to 283 in 1998. Some are Sikh, but they are mainly Muslim; and the increase is mainly among young UK women avoiding marriages. My only explanation for this growth is that there is an ever-increasing number of women reaching maturity who regard themselves as of a cross culture, with different aspirations to their mothers. Many will have much more in common with girls from the indigenous population than with male cousins in Pakistan who have no English, who have lived their lives in tiny Mirpur villages and who know only rural life and agricultural work. Yet our young women are expected to marry those men.

Since I started preparing this speech, an article in last Sunday's edition of *The Observer* has been drawn to my attention. It is so very relevant that I shall quote from it, as much of it ties up with the type of situations that I hear about in Keighley and Bradford. I do not know where the woman mentioned in the article comes from, nor do I know where the three girls she talks about live. The article, by Carol Sarler, is entitled "The silence of the imams . . . while another child dies". It states:

> "Take three girls, linked by nothing save their fathers' faith and the fact that I knew all of them. The first was a bright, young schoolfriend of my daughter whose parents suddenly announced, when she reached 15, that she'd be leaving school shortly to prepare for her marriage to a strange and older man. My daughter asked me, on the frightened child's behalf, if I would hide her—but, even as I weighed my conscience against Holloway prison my dilemma was removed: the child had mysteriously changed her mind about the man."

We find that that happens all the time. Neither Sarler nor her daughter ever saw the girl again. The article goes on:

> "The second girl was only 14 when her own family beat her, kidnapped her and imprisoned her—all designed to knock the Western stuffing out of her—and then began to plan her wedding. She escaped but was almost murdered in the process and now lives as a teenage exile far from all she ever knew.
>
> The third was a neighbour. A darling little thing, perhaps 16, with a sweet, shy smile and a puppy dog eagerness to please the husband who had been found for her. For his part, she was there to work and breed, and she most certainly wasn't allowed to mix with anyone else. So I didn't get to know her well at all. Still I was sorry when, one lonely day, she hanged herself."

I wish to make it absolutely clear that I do not oppose arranged marriages as such. My assistant in Keighley, Shamim, has just gone through such a marriage, and is perfectly happy with the situation. My appeal to the Asian Muslim parents of Keighley—and beyond—is that they should discuss with their daughters the plans that they have for their future. If the daughters do not like their parents' choice and would prefer to marry a man from their own cultural background, then their parents only have to look around to discover that there are many eligible Muslim bachelors in West Yorkshire. Those men will also have the advantage of being able to get work and will therefore not be a drain on the daughters' families.

My other appeal is to the leaders of the Asian Muslim community. I hope that they will encourage their people to put their daughters' happiness, welfare and human rights first. If they do, their community will progress and prosper, in line with the Sikh and Hindu communities.

Because my own daughter-in-law is from an Asian family, I am not blind to the many benefits of belonging to such a family, whose members are more supportive of each other than is the rule in the west. We must also recognise that Asian women must not seek help outside their community or even family, as that is regarded as a betrayal. Therefore, the cries for help that we hear may be just the tip of the iceberg and we must remember that Members of Parliament—especially those of us who are women—are here to listen and support without being judgmental. Our Asian women constituents are perfectly entitled to expect the same human rights as are afforded to us and to our daughters. They are also entitled to expect us to help them to enjoy those human rights.

Finally, I want to touch briefly on the plight of another group of women whose every human right has been removed since the Taliban took over most of Afghanistan. That vast country, in which there are thousands of widows after years of internal and external wars, is now ruled by men who have reduced the role of women to that of child bearers. They are barred from education, medical care or any means of earning a living, which means that the children of widows are reduced to begging and scavenging for food. As and when the money is available, the widows cannot even go out to shop without being escorted by a close male member of their family: if they do not have such a relative, they leave their homes risking a severe beating.

The United States of America in particular—and this country to a lesser extent—fed the Afghan war machine over many years. It is thought that American dollars are still being used to support the Taliban. I hope and trust that that does not have even the tacit support of our Government, and that we will do all in our power to rescue Afghanistan and its women from the Taliban's culture of cruelty and human degradation.

I should also like to mention that, at a meeting in Paris about a year ago of the Western European Union, a report was presented on the situation in Afghanistan. The rapporteur was a French socialist, and he claimed that many of the Madrasas had young men from just inside Pakistan who join the Taliban forces, and were supported by money from the Central Intelligence Agency. I do not know whether that is true, and the report was disappointing in that it failed to mention the plight of Afghanistan's women. That had to be put right by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe), who did a great job in that regard.

Finally, I wish to thank the Council of Europe Equal Opportunities Committee, of which I am a member, for raising internationally, at a conference in December, the tragedy that continues to be Afghanistan. I also thank my hon. Friend the Under-Secretary of State for the Home Department, for giving his time to reply to this debate.

11.16 am

Jackie Ballard (Taunton): I congratulate the hon. Member for Keighley (Mrs. Cryer) on securing this important debate, and on her brave and moving speech, which I am sure will have affected everyone in the House.

All hon. Members would agree that it is a basic human right to have a voice, and to be heard and represented. In my remarks, I shall concentrate on the issue of representation. I am sure that all hon. Members would also agree that women's voices are essential to a healthy democracy and a healthy society. I do not believe that only women can represent women, but a legislature that does not have the same gender balance as the population as a whole cannot call itself representative.

Here I must make the obvious confession: my party has failed dismally in that regard, with only three women Members of this Parliament. However, we will have a better balance in the European Parliament after June, and we have the highest percentage of women councillors in local government. The party is taking steps to address our failings in that regard.

Ms Jenny Jones (Wolverhampton, South-West): I know that we are discussing an important matter in the debate, but the hon. Lady mentioned the number of women in her party and it has not escaped our notice that her party is going through a leadership contest at the moment. Does she have it in mind that her party might deal with the problem that she has described by having a woman leader?

Jackie Ballard: I could not possibly comment on that. However, the other day, I received a document from the Council for Parity Democracy. That document, which lists every woman in the world who is head of government or head of state, or who leads business or international organisations, is only 20 pages long. There are not nearly enough women leaders around the world, and perhaps my party could make a start on changing that. One never knows.

Other parties, here and abroad, are also tackling the issue of women's participation in democracy. That is a key aspect of the British Council's work in many developing countries, with which I and some Labour Members have been involved over the past couple of years. I shall speak briefly about the institutional changes that this Government have made to improve women's lives, and then give an example from one of the countries that I have visited.

First, I was disappointed—as I am sure were some Labour Members—that the hon. Member for Lewisham, Deptford (Joan Ruddock) was suddenly moved aside from her post as Minister for Women, even though she had proved to be quite effective. That did not give a very good message about the Government's intentions with regard to women. I am not throwing any aspersions about her replacement, although the Minister for Public Health, the right hon. Member for Dulwich and West Norwood (Ms Jowell), has other ministerial responsibilities, which obviously make the job more difficult.

One of the concerns of the women's unit is to increase the number of women who serve on public bodies. At the moment, only 31 per cent. of appointees to public bodies are women. If one looks more closely at the figures, one finds that most of those are in unpaid posts. The Department for Culture, Media and Sport has the best record, employing women in 36 per cent. of paid posts and 28 per cent. of unpaid posts in the past two years. In contrast, women fill only 26 per cent. of paid posts and 86 per cent. of unpaid posts in the Department of Health, which clearly has a long way to go.

[Jackie Ballard]

Only 10 per cent. of our judges are women, and there are even fewer women in the higher courts. What is the Lord Chancellor doing to redress that imbalance? He must be pushed on the issue. Male judges have shown their inability to deal sensitively with crimes against women, such as rape and domestic violence. We are told that dealing with domestic violence is a key priority of the Government, but there is still much to be done to increase resources for women seeking refuge, improve training of police officers and conduct regular monitoring of reports of domestic violence, all of which is almost non-existent.

I was recently in Mexico with the British Council, attending a seminar on work in that country on women's rights, aimed at increasing women's participation in decision making. The position of women in the societies of many countries that signed the Beijing declaration, such as Mexico, is well behind that of the United Kingdom, yet, because they start from a low base, they put in place more effective structures than we have here. In Mexico, for example, the gender and equity parliamentary commission, which plays a similar role to a Select Committee, has a remit to look at the impact of all legislation on gender and equity. We might do well to consider that model.

The Mexican Government have embarked on a programme to establish a women's unit in each of the 32 states. We might well consider such a decentralised model, in which women's units work with state and local governments to implement a programme to improve women's rights. That enables the Government to respond to specific issues in different places in different regions, where there are different rates of progress, and where large indigenous populations, ethnic minorities or rural women have different needs than women in the city.

It is more than two decades since the framework of laws was implemented in the UK to try to eliminate sexual discrimination—which has usually, but not exclusively, been against women—in education and training, employment and consumer affairs. The Equal Opportunities Commission has recently proposed reforming sex equality laws by the introduction of a single sex equality Act, which would be based on the principle of equal treatment, and which would put the onus on employers and service providers to comply with the law, rather than the complainant having to take the case to a tribunal. I hope that the Government will very soon be able to respond to the EOC proposal, and inform the House when we can expect sex equality legislation in the Queen's Speech.

I hope that the Minister will be able to say in his response to the debate when the Government will set up a human rights commission. I apologise to him that I shall have to leave a few minutes before the end of the debate, although I let him know about that earlier.

When we have a voice as women and as Members of Parliament, we should use it to the advantage of all those without a voice. Around the world, many women are held back by traditions, cultural and otherwise, which prevent them from exercising their choice. The hon. Member for Keighley described how that impacts on many women in this country. The Beijing declaration came to the clear view that women's views must be heard, that a nation's progress depends on the progress of women and that the strength of the political system depends on the inclusion of women. Human rights are women's rights, and women's rights are human rights.

11.24 am

Mrs. Alice Mahon (Halifax): It will come as no surprise to the hon. Member for Taunton (Jackie Ballard) to hear that I agree with just about everything she said. I congratulate my hon. Friend the Member for Keighley (Mrs. Cryer) on obtaining this debate and on her excellent and moving speech. Nobody should underestimate the courage that it took to make such a speech. I shall speak on many of the issues that she raised, but, given the virtual worldwide silence on women's human rights, I make no apology for doing so. Today should mark the beginning of an effective campaign to highlight the plight of millions of women and children, whose basic human rights are violated daily in the name of culture or religion.

Like my hon. Friend the Member for Keighley, I do not speak in any superior, patronising way, as I am only too well aware of the history of my country, and the crimes against women and humanity that it has committed globally and at home. In supporting this debate, my hon. Friend and I shall probably face accusations of racism or Islamophobia, but experiences, and what I have seen as I have travelled the world as a Member of Parliament, make it clear that silence is not an option any more.

Female circumcision is not just a problem in the developing world; it happens in the west. There is a case about it in Paris at the moment. I know that my hon. Friend the Member for Wolverhampton, South-West (Ms Jones) will speak about what is happening in Britain. The World Health Organisation has stated:

> "most of the girls and women who have been subjected to female genital mutilation live in 28 African countries, although some live in Asia and the Middle East."

Due to immigration, some live in Europe, Australia, Canada and the United States of America, too. It is estimated that about 140 million women and girls worldwide have suffered that dreadful practice, and that a further 2 million girls are annually at risk.

Female genital mutilation—or FGM, as it is called—comprises all procedures involving partial or total removal of external female genitalia, or other injury to female genital organs, whether for cultural, religious or non-therapeutic reasons. The procedures are always totally irreversible. They are harmful to the health of women and girls, and the effects last a lifetime. Immediate complications include severe pain, shock, urine retention, ulceration of the genital region, haemorrhage, and infection, which can often lead to death in the poorest areas of the world. Long-term consequences are horrendous, and include incontinence, painful sexual intercourse, sexual dysfunction and the possibility of HIV infection. The risk of maternal death and stillbirth is greatly increased, especially in the absence of skilled health personnel.

That is torture on a massive scale. It is committed against millions of girls and women every year, yet where is the outcry? Who is saying much about it? Insomniacs will have heard a good programme at 3 o'clock this morning on the BBC World Service, in which Dr. Olienka, a very brave Nigerian woman who has led a one-woman crusade, and other women spoke about the practice in Sierra Leone. How many Parliaments debate the obscenity? How many times has the United Nations Security Council, the Group of Seven or the United Nations itself debated, on a world platform, that crime against humanity? The truth is that they do not because the victims are female. The practice violates every part of the universal declaration of human rights.

Mrs. Cheryl Gillan (Chesham and Amersham): The hon. Lady will be heartened to know that female genital mutilation was discussed during negotiations in Beijing. Does she agree that, far too often, people brush the subject under the carpet and do not want to talk about it because it is taboo and not to be discussed in the open? We have a duty, particularly as women parliamentarians, to speak out about the matter and to say that it is absolutely wrong.

Mrs. Mahon: I agree with the hon. Lady. The practice is a absolute violation of human rights, yet it is conducted in the name of religion or for cultural reasons, among Christian as well as Muslim women. It predates such religions, so the religions cannot claim that it is done for religious reasons. I believe that it is done to control women and to keep them under the thumb, so to speak.

Mrs. Maria Fyfe (Glasgow, Maryhill): Often, such practices and other human rights violations are dismissed as village Islam—just as a village in Poland might be more Catholic than the Pope. Does my hon. Friend agree that religious leaders have a responsibility to teach their flocks exactly what their religion says and not to allow ignorance to develop?

Mrs. Mahon: Absolutely. Such mutilation has nothing to do with the great religions of the world. It is an abuse and a violation.

I shall briefly discuss what is happening in Afghanistan. When the South African Government declared a state of apartheid—an inhuman system, which institutionalised the supposedly superior status of whites in all political, economic and social matters—the world was rightly outraged. How could the civilised world stand by and watch such an obscenity take place? That white South African state became a pariah state, and a magnificent campaign was fought, in which many of us were involved, to end that evil.

Where is the outcry against gender apartheid in Afghanistan? Who is speaking out about the human catastrophe taking place there? Where are the major debates in the United Nations? When there was apartheid in South Africa—a dreadful evil, which I helped to oppose—it was an almost weekly issue for discussion. However, since the Taliban took control of Afghanistan, women and girls have been legally—under the Taliban—subjected to extreme conditions of exclusion. That wicked regime, in a country of millions of war-damaged people and widows, has denied basic human rights to all girls and women.

As my hon. Friend the Member for Keighley said, in Afghanistan women are barred from receiving any education. They are banned from work and are not allowed to leave home unaccompanied. They are almost under house arrest. Girls are married off, quite often, to strangers much older than themselves, and in some cases just used as sex slaves.

The Council of Europe—I am grateful for the work that it has done—has studied the situation and is trying to draw attention to it. Naturally, it condemns it. The Council of Europe published a report in November 1998. Evidence had been taken from agencies and from Afghans who had witnessed at first hand the Taliban's treatment of women. Interestingly, the report says clearly that that treatment has absolutely nothing to do with Islam. It was taught by the Taliban in the camps in Peshawar. I tried to get there about eight years ago, but was turned back when I reached the camps. They said that I was a wicked woman, and I was not allowed to enter. Those camps taught that evil; the Pakistani Government has much to answer for in that.

Amnesty International has condemned the treatment that is inflicted on women and girls in Afghanistan. It now says that those women are prisoners of conscience, and that the restrictions should be lifted immediately.

Meanwhile, in Pakistan—one of the only three countries to recognise the Taliban regime—things are not very good for women. The plight of many women in rural areas is grim indeed. In 1979, Zia, then head of the military regime, introduced several ordinances dealing directly with women; those are still in force. The first and most notorious, the Huddood ordinance, deals with—among other things—rape, adultery, fornication and prostitution, and suggests punishments for all those crimes. Zina, the adultery clause, has led to thousands of women being imprisoned—and, in many cases, beaten and killed—just because someone, not necessarily the husband, accuses them of adultery. Zina-bil-jahr, the clause dealing with rape, states that four male Muslims of good character must have witnessed the crime of rape. That makes it almost impossible for any woman to bring charges. That is an outrage; the Pakistan Government should hang their heads in shame because they still allow it.

People in Pakistan are working to do something about what is happening there. The Pakistan commission on the status of women, which began its work in 1984—some of whose members I met when I was in Pakistan—submitted a report. Its findings were clear. It said:

> "the average rural woman in Pakistan is born in near slavery, leads a life of drudgery and dies invariably in oblivion".

The United Nations 1994 human rights development report said:

> "Pakistani women's participation in education, health, labour and politics is lower than many countries in the region, reflecting a major crisis in civil society".

I believe that anyone who saw the BBC "Correspondent" programme, "Murder in Purdah", shown in January, will realise that it is vital that all the nations of the civilised world speak out. The testimony of the 15-year-old girl, given 24 hours before she died from the horrible burns that she had received from her husband or his relatives, will haunt those who saw it for a long time. My hon. Friend the Member for Cynon Valley (Ann Clwyd), chairman of the all-party group on human rights, will be showing the film at 6 o'clock on Monday 15 February in one of the Committee Rooms.

The 15-year-old had been virtually sold by her father to an older man, who will probably never be punished. The film repeatedly showed how the men are allowed virtually to sell their daughters. The husbands abuse them. Quite often, if the marriage breaks down, the women end up in prison or their children are taken from them. The men who have committed the crimes walk free; they bragged about it on the documentary. A man who had shot his wife kept the gun as a trophy, and bribed his way out of prison.

[Mrs. Mahon]

We must campaign for the abolition of the Zina laws and the Huddood ordinances. The Pakistani Government cannot claim to be part of the civilised family of nations while it allows those crimes against women.

Like my hon. Friend the Member for Keighley, I should like to finish by coming closer to home. I, too, was moved by Carol Sarler's article in *The Observer*. I believe that every woman from every community from certain parts of the subcontinent can associate with her opening remarks, which my hon. Friend so movingly read out.

Just this week, I have had yet another case of a young woman—a very bright, well-educated young woman, born in Halifax—who, last year, was tricked into going on holiday and married against her will. As she is well educated and has spirit, she is objecting to the marriage and has decided that the young man will not be brought into this country. However, we must question the role of the institutions that should be protecting those young, in this case Yorkshire—Halifax—girls. Obviously, they are being badly let down by the institutions. The law, it seems, is not for them.

Like my hon. Friend the Member for Keighley, I congratulate my hon. Friend the Member for Glasgow, Govan (Mr. Sarwar), who rescued Rifat Haq, who was 20 years old, and Nazia, who was 13 years old, who were abducted by their own father and married off. At 13, that is illegal in Pakistan as well as Britain, and we should be speaking out about it. The veil of silence should be lifted on that practice.

I want to mention Zoora Shah, a Bradford woman, who for 20 years was beaten and raped and made to sleep with other men by Mohammed Azam, the brother of Sher Azam—former head of the city's council for mosques. When that evil man tried to abuse her daughters, she poisoned him; but, because she was too ashamed, for cultural reasons, to defend herself properly, she was given a life sentence.

A few streets away in the same city, Shabir Hussain killed his sister-in-law, Tasleem Begum, in an "honour killing", because her arranged marriage had failed and she wanted to run her own life. He ran her down three times in his car and was sentenced to life for murder, but on appeal had his sentence reduced to one for manslaughter. Passing judgment, Judge Hodson said:

> "I accept there has been considerable pressure on you for the last few years. Something blew up in your head that caused you a complete and sudden loss of control".

That judgment was outrageous. The double standards applied in those two cases are mind-blowing—the result of the conspiracy of silence surrounding anything to do with basic human rights for Asian women. We are in danger of importing the principles of Zina and the Huddood ordinances into the streets and cities of this country.

My hon. Friend the Member for Keighley and I intend to campaign for an end to gender apartheid. We want the victims to contact us here in the House of Commons. We intend to lobby, to harass and to ensure that all the agencies that should be protecting women to do their jobs. Lest there be accusations of racism, let me say that, like my hon. Friend, I have black grandchildren who are the absolute joy of my life. I reject any accusation of racism. I have friends whom I love in the Muslim community. I certainly was not popular politically for opposing the bombing in Iraq against ordinary Muslims. Any claims of racism are nonsensical.

I have read the United Nations universal declaration of human rights and there is no exclusion clause explaining that the declaration does not cover female genital mutilation. There is no footnote excluding Afghan women, or Pakistani women in Bradford, Halifax, Keighley, Wolverhampton or Glasgow. Universal means every man, woman and child on this planet. If we do not speak up for that, we deny human rights for millions of women and girls.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. A number of hon. Members are seeking to catch my eye. Unless speeches are reasonably brief, many will be disappointed.

11.41 am

Mrs. Cheryl Gillan (Chesham and Amersham): It is not often that I wholeheartedly agree with Labour Members. However, this morning I have heard two speeches that I admired. I would like to join other colleagues in offering my unreserved congratulations to the hon. Member for Keighley (Mrs. Cryer) on having the courage to initiate this debate and to make her voice heard on behalf of women who are undoubtedly abused, not only in this country, but throughout the world.

If the hon. Member for Halifax (Mrs. Mahon) is starting a campaign, perhaps she will give some consideration to talking to me about it. I would be very willing to join any campaign that would end the barbaric practices that are perpetrated against women throughout the world.

Slightly more than 50 years ago, the General Assembly of the United Nations produced the universal declaration of human rights, which followed the dark days of the second world war. Those were dark days in our own history in Europe. However, the declaration made it clear that the rights that it expounded were for all people without exception. Though much progress has been made over the past 50 years, as I am sure all right hon. and hon. Members would acknowledge, much more is needed around the globe.

The debate seeks to highlight the single gender, and I obviously have a great deal of sympathy with that. However, I say at the outset that I would not want a single gender debate to remove the highlight from human rights in general—the human rights that belong to both men and women. If we practise the politics of inclusion and believe in equal opportunities, we should not narrow our horizons and ignore 50 per cent. of the population.

Dr. Jenny Tonge (Richmond Park): I accept what the hon. Lady says about making her remarks apply to both sexes. However, does she agree with me that nowadays, the nature of war, and especially civil war, means that women and children are disproportionately affected? Many more women have their human rights abused because of war and civil war throughout the world now than ever before. This is one of the main problems. War has become war against women, who are raped, mutilated and abducted. They are damaged far more than the male of the species.

Mrs. Gillan: I do not wish to have a disagreement with the hon. Lady because I have sympathy with her remarks.

However, it would be narrow-minded to imagine for a moment that it is not possible to damage men, to damage boy children, to rape boy children and to rape men. I would not want to enter into a debate in which we held a competition to determine who was abused more. The abuses of civil war and war in general are well known, sadly, to all right hon. and hon. Members.

I wish to focus on the fact that there must be equality of attitude towards the debate, although at the same time, we must highlight the special and particular treatment for which women are often singled out, particularly in the name of religion.

When I was a Minister in the previous Conservative Government, I had the privilege of signing the declaration on the platform for action in Beijing. The then Government took the matter so seriously that we sent three Ministers to Beijing. It was not a jolly for the three Ministers and it was not a trip on Concorde. Three very senior Ministers went to Beijing to do a job of work, not only on behalf of the women of the United Kingdom, but on behalf of women throughout the world. I pay tribute to Baroness Chalker and my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning), who attended the conference with me.

I pay tribute also to the non-governmental officers who attended the conference, in far more difficult circumstances than myself. A parallel conference for NGOs took place down the road. Due to adverse weather conditions and the poor preparation of the buildings that were to be used, many of the NGOs were up to their knees in mud. There was a tremendous spirit among the NGOs, the politicians and the representatives who had made it to Beijing to negotiate the platform for action.

Sadly, the negotiating team that I used and the equal opportunities unit within the Department for Education and Employment have now been broken up. The Government have had four Ministers with responsibilities for women in less than two years, including one who was unpaid. I believe that the message that is going out to women is completely wrong. Perhaps the Conservative Government were not quite so up-front about our policies for women. We never promised a ministry for women. I believe that the previous Government made good progress on rights for women and that the present Government have caused a great deal of disappointment throughout the country. However, that is not the main thrust of my speech.

At Beijing, I met women who took my breath away. I met women who had been tortured and mutilated. I met women whose very lives were in danger because of their presence at the conference. These were real women and real injustices. I heard stories at first hand which ranged from bride burning to female genital mutilation, and from rape to female infanticide. Sadly, we can travel around the globe and collect stories of abuses as we move from country to country.

In common with those who have already spoken in this debate, I wish to highlight three areas where crimes against women are rife and, sadly, are often committed in the name of religion, or because one religion does not tolerate another. I am grateful to Christian Solidarity Worldwide for its briefings on this subject and I have no hesitation in reading from them. I think that the House would wish to hear particular stories from India and Pakistan.

At the end of last year, four nuns belonging to a missionary group, the Foreign Missionary Sisters, were gang raped by suspected Hindu militants in the Jhabua district of Madhya Pradesh in central India. The four Catholic nuns were all under 35 years of age. They were dragged out of their convent, taken to a nearby field and gang raped by 15 to 20 men. The police claim that they have arrested four people in connection with the incident, but have declined to disclose their identity.

The assailants first knocked at the door of the convent, pretending that they needed urgent medical help for someone. The nuns were unconvinced and refused to open the door. They barricaded themselves in a chapel, but the assailants broke into the convent and ransacked the whole building before dragging the nuns from the chapel and taking them to the fields to be raped. All four of the nuns were from the state of Tamil Nadu and working for FMS, a humanitarian medical organisation which was set up to provide medical help to people bereft of medical facilities in the remote rural areas of the country.

I do not say that a nun is better than any other woman, but the incident serves my purpose in showing that people could choose women who were in the area for humanitarian purposes and that the authorities do not pursue to the nth degree the perpetrators of such a revolting and abhorrent crime.

We have heard about the situation in Pakistan. Again, Christian Solidarity Worldwide has provided me with a brief, which states:

> "Every morning, teeming multitudes of under-nourished women are gobbled up by the smoky brick buildings of factories and disgorged in the evening after a heavy day's labour. Millions of other women are bent in back-breaking labour in the fields and farms and in the muddy courtyards of cramped dwellings from dawn to dusk. Few women have formal work in Pakistan. However, those who do often find themselves subject to discriminatory treatment in the workplace with lower pay and poorer working conditions and security than their male counterparts."

Discrimination stretches beyond the workplace, affecting the political, legal and social status of women. Legally, the evidence of a woman is worth half that of a man. Worse still, the evidence of a Christian woman is not accepted at all in cases filed under Sharia law. However, such women can still be charged, convicted and punished under Sharia law.

Incidents of rape and violence against women are a daily news item. As we heard, the Huddood laws relating to rape require the eye-witness testimony of four adult male witnesses for rape to be proved. That is ridiculous; it denies justice to many of the victims of rape in that country. However, if rape is unproven, the unfortunate girl is charged with adultery. That cannot be right under any religion or any laws. No politician in any state could possibly endorse that.

Political representation of women remains low. Although some efforts are being made to ensure that women have seats in Parliament, their tragedy often goes unheard because they have no real voice.

Finally, I shall deal with Afghanistan, as other hon. Members have touched on the subject. For me, the present situation in Afghanistan represents some of the worst treatment handed out to women across the globe. We have heard how women are prevented from seeking employment. Women doctors are prohibited from practising their trade. Education is not permitted for female children. Women are not allowed to walk down

[Mrs. Gillan]

the street unless accompanied by a man. Amnesty International, which collects and catalogues some of the worst abuses of human rights, came across a case only a couple of years ago in which the Taliban had a woman's thumb cut off because she wore nail varnish.

The Minister who is to reply to the debate has not been known for speaking in women's debates in the House. I welcome him to the Dispatch Box and hope that he will make a fine contribution in what, I believe, will be his first debate on women's issues. I hope that he sits on the Ministerial Sub-Committee on Women's Issues, which was started under the Conservative Government. Perhaps in the course of his winding-up speech he will tell us how many times that Cabinet Sub-Committee has met.

I urge the Minister to ensure that continuous and strong representations are made to the three countries that I have highlighted, in particular to Afghanistan and the Taliban. In their daily business of running the country and representing its interests and views abroad, Ministers should keep at the forefront of their minds the countless women and girls who die or are damaged each day from gender-based discrimination, and on every possible occasion they should support and promulgate human rights for all—men and women.

Whether distributing aid, negotiating a trade deal or making a diplomatic visit, Ministers should keep human rights in mind so that we can continue to make progress over the next 50 years, as we have over the past 50 years. Ministers should not go abroad or discuss any matter with their opposite numbers, no matter from which country they come, without attempting to draw human rights abuses to their colleagues' attention and helping to eradicate some of the worst treatment imaginable of one human being by another.

11.54 am

Ms Jenny Jones (Wolverhampton, South-West): I add my congratulations to my hon. Friend the Member for Keighley (Mrs. Cryer) on securing this important debate. Everyone in the House agrees that she does not lack courage in raising this important and sensitive subject.

I serve on the Council of Europe with my hon. Friend; we are both members of the equal opportunities committee there. As we have heard, the committee has been taking evidence on the situation in Afghanistan. The House might also be interested to know that last year, shortly after the committee was formed, one of the first topics with which we had to get to grips was the news that virginity testing had been re-introduced in Turkey. Thanks to the women and the men on the equal opportunities committee, we succeeded in getting that proposal widely publicised and stopped. We are very busy on the Council of Europe these days.

Last week, my constituency office received a telephone call from a distraught young woman who told my staff the story of her cousin's wife, who is a constituent of mine. My constituent, whom I shall not name for reasons that will shortly become obvious, had married a man of whom her parents did not approve. The marriage had been against their wishes. Shortly after her marriage, she and her husband decided to go to Pakistan for a family visit. She wanted to meet her husband's family there.

When the couple arrived at the village, they were both arrested and locked up in the local police gaol. It transpired that my constituent's family in Pakistan had brought charges against her and her husband. They had accused her husband of kidnapping her and they had accused her of stealing the family jewellery, which was part of the dowry. More seriously, a male relative of my constituent had stationed himself outside the gaol and said that he would shoot her if she was released.

My constituent is a British citizen. She asked to be given access to the British embassy in Islamabad and was refused. She and her husband were kept in the lock-up for almost three days before his family found out where they were. They telephoned their family in Wolverhampton, who immediately contacted my office. We immediately involved the British embassy in Islamabad.

I congratulate the official at the embassy, who took immediate action. Embassy staff contacted the police station, pointed out that a British citizen had been arrested and asked why. Negotiations took place. The police dropped the charges, which the family considered to have been trumped up. They released the couple and gave them protective custody until they could reach my constituent's husband's family where they felt safe.

Everyone concerned took seriously the threat to kill my constituent. The House will note that it was the woman, not her husband, who was to be killed. My constituent will shortly return to the United Kingdom. She has family in this country, and I am seriously beginning to wonder what will happen to her when she returns to the UK. Needless to say, I shall keep in close contact with her and her family to make sure that she will be all right.

That story shocks me, as do the others that we have heard from my hon. Friends the Members for Keighley and for Halifax (Mrs. Mahon). The stories are so shocking because the women involved are taking the sort of decision about their personal lives that all other women in this country take, but they are being forced to pay a terrible price for doing so. They are being put through hell for making choices that the rest of us take for granted.

In telling the House of my constituent's experiences, I do not point the finger at any one faith or culture. All faiths have their zealots. At present, almost every religion is grappling with fundamentalism; it is not a phenomenon associated particularly with Islam. Unfortunately, because of the press coverage in this country, fundamentalism is automatically associated with Islam, and we have indeed heard stories from Afghanistan.

However, the hon. Member for Chesham and Amersham (Mrs. Gillan) pointed out some of the effects of fundamentalist Hinduism in India. Recently, our attention has been drawn to what is happening in the United States, where fundamentalist Christians are killing people and bombing property in a campaign against family planning and access to legal abortion. We need to keep the matter in perspective. One key feature of all religious fundamentalism is the suppression of women.

Ours is an inclusive society in which we strive to understand and respect all cultures and differences, which I have often said is our strong point. But—this is a big but—we should not allow that to blind us to the practices which result in the violation of human rights of men and women. Regardless of faith and culture, it is plain wrong to kidnap and drug a woman, and to threaten or commit violence against a woman, because she wants to make a particular decision in her life.

My hon. Friend the Member for Halifax referred to female circumcision. An article in *The Independent* last week said that female circumcision is being practised in

Britain. We all know about the case which is currently before the French courts, but that article said that a team of investigative journalists attached to a television company had discovered two Harley street doctors involved in female circumcision in Britain. If that is true, it is shocking. The House must speak out about it and investigate it. Another practice involves young girls born in Britain, and therefore British citizens, being sent to their families' country of origin for the operation—to me it is mutilation—and then returned to Britain. That must stop.

All are agreed that my hon. Friend the Member for Keighley has been courageous in raising this sensitive issue, but we must have an intelligent debate. We cannot allow ourselves to be embroiled in arguments about racism, cultural rights, traditions and so on. Britain now has the Human Rights Act 1998. As a member of the Council of Europe, I was a particular enthusiast for the incorporation of the European convention on human rights into our legislation. It is one of the best things that the Government have done. However, the House must ensure that human rights are for all our daughters, regardless of their cultural background.

12.2 pm

Mr. Bowen Wells (Hertford and Stortford): I, too, sincerely congratulate the hon. Member for Keighley (Mrs. Cryer) on bringing before the House all the important issues affecting women that have been raised today, in particular the question of forced arranged marriages and their consequences on social life in Britain.

I, too, have heard allegations of female genital mutilation being carried out in Britain, and the Select Committee on International Development heard evidence of that being carried out in Harley street. Other abuses, too, are suffered by British women, and we must be vigilant in stamping out such practices in Britain. They are against our law and human rights, and against British women. I should like to join any organisation that is established to campaign against these practices, so that those responsible are brought to justice and the practices about which we have heard are stamped out.

Dr. Tonge: Speaking from a medical point of view, it would be helpful if, when we campaign for the abolition of genital mutilation, we included male genital mutilation. I am sure that the hon. Gentleman would agree that there is no medical reason for male circumcision. Many small boys are seriously damaged by that operation being done by unlicensed practitioners and people who do not know how to do it properly. It may broaden the issue and make it easier for certain cultural groups to accept if we go for both forms of operation, not just one of them.

Mr. Wells: That is an excellent suggestion. I was about to say that this should be the concern of not only women, but men and women. Evidence given to the International Development Committee suggests that the law is not necessarily the way in which to stop such practices. A law against such practices is in place in India, Pakistan and Bangladesh, all of which have signed up to the Peking action programme and the Cairo action programme on sexual and reproductive health drawn up five years ago. Therefore, it is not colonial or imperialist to suggest that these practices need to be stamped out in India, Pakistan and Bangladesh.

The House may not be aware that the International Development Committee is going to India, Pakistan and Bangladesh at the end of February and the beginning of March, and our subject is gender and development. We have purposely called it that because we must get the men on our side on this issue. It is often when the imams and other men controlling such societies agree that such practices are wrong that they are most quickly stamped out, so we must involve everyone in the crusade.

The usual population balance between the genders is 52 per cent. female and 48 per cent. male. In India, that has not only been reversed, but the female population is now as low as 45 per cent. That means that practices against female children are widespread in India. Death in childbirth is one factor, but the starving and deliberate murder of girl children on birth, and amniocentesis, which allows a female embryo to be identified and aborted, are widely practised. Apart from anything else, such practices are against nature, but they are also against the law and against human rights, to which India has signed up.

We must campaign against such abuses, which feed back into Bradford, Keighley, Wolverhampton and Southall, and we must be militant about abolishing such abhorrent practices.

12.7 pm

Ms Chris McCafferty (Calder Valley): I, too, congratulate my hon. Friend the Member for Keighley (Mrs. Cryer) on securing this important debate. I am pleased that we are having it during the week of the five-year review of the Cairo conference programme of action which put women's rights at the heart of its agenda.

Despite many international agreements affirming women's human rights, girls and women are still much more likely than men to be poor, undernourished and illiterate, and to have less access than men to education, medical care, property ownership, credit, training and employment.

Discrimination against girls often begins before birth in the preference for sons, and in too many places continues with the denial of education and medical care, and with forced teenage or even pre-teenage marriage, sex and pregnancy.

Women may be restricted to the home, sexually and physically abused without any remedy, and denied rights to own or inherit property, receive training or credit, or to take part in political or social discourse, as is the case in Afghanistan today, which was so movingly described by my hon. Friends the Members for Keighley and for Halifax (Mrs. Mahon), and the hon. Member for Chesham and Amersham (Mrs. Gillan). Such treatment of women is a corruption of Islam, which teaches respect and honour for women.

At puberty, in particular, girls have specific needs that should be addressed. Access to health education alleviates trauma caused by ignorance of bodily changes, and leads to improved hygiene, the lack of which often leads to infection and sometimes death. However, in Afghanistan, that education is forbidden and in many countries, it is simply not available. Girls expect only to be mothers, and are restricted in education and employment, while boys are prepared to be heads of families. Laws against domestic violence are often not enforced on behalf of women, making women vulnerable to persistent abuse,

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or even murder. When women defend themselves, or try to flee such violence, it is often they who are imprisoned, instead of the perpetrators.

Unfortunately, achieving gender equality in those areas requires the support of men, who exercise most of the power and who, in some countries, appear to want to keep their women in fear and subjugation. Investment in education for women and expanding their access to credit, training, property and legal rights give them options to achieve status and satisfaction in life, and liberate their economic potential. For centuries, child bearing has been women's chief source of security and status, and that remains the case, especially in countries where women are denied education, reproductive health care, secure livelihoods, and full and equal rights. Programmes that offer girls alternative life-style choices can help girls to stay in school and, consequently, delay child bearing. Such women tend to have fewer children.

Two thirds of the illiterate adults in the world are female, but where there are higher levels of women's education, there are also lower infant mortality and lower fertility. Women in developing nations are usually in charge of securing water, food and fuel, and they oversee their families' health and diet. They tend to put into immediate practice whatever they learn about nutrition, health care, and the preservation of the environment and natural resources.

The roles that men and women play in society are socially determined and often justified as being required by culture or religion. However, there can be no democracy without equality. If we judge a country by the conditions and status of its women, many would fall short, but in Afghanistan, women have no status at all and their life conditions are intolerable. The dreadful situation in which Afghan women are trying to survive is getting worse every day. Women's human rights are being violated daily, in the name of law and order and religion.

The restrictions imposed on women by the Taliban are not unique. In other countries in the region such as Pakistan, the quality of life for women, in terms of their status and the violation of their rights, is now little better than in Afghanistan, because of the resurgence of fundamentalism. The systematic attacks on women's rights in those countries should be a warning that regressive steps can occur anywhere and at any time. The international community has a duty to take resolute action to restore women's rights in Afghanistan, and to help to stop further deterioration of the quality of life and rights of women in other Islamic communities.

My hon. Friend the Member for Halifax told us about the most pernicious form of the violation of women's human rights: female genital mutilation—a term used for a variety of surgical operations—which is carried out on healthy, female children, mainly for traditional reasons, and which is often backed by enormous social pressure. That mutilation, often carried out with unsterilised instruments and without anaesthetic, can lead to immediate health risk and often causes long-term health damage. That it is being carried out in the luxury of Harley street is no less oppressive. The practice is prevalent in north Africa, the near east and Asia, and it is not uncommon for children born in Britain to be sent abroad to be operated on. Such children often believe that they are going to visit relatives, only to be violated by people whom they trust. Where are the laws to protect those vulnerable children? No wonder the problem is being swept under the carpet.

Slavery, torture, and racial and ethnic prejudice are centuries old, and are now rightly condemned when they involve people of colour, political dissidents or ethnic groups. Violation of women's human rights must receive the same international censure. I urge the Government to use every possible forum to condemn the continuing abuse of women's human rights wherever it is perpetrated. In particular, I urge them to establish mechanisms to ensure that women and girls living in Britain are protected from female genital mutilation, either in this country or abroad.

12.14 pm

Mrs. Theresa May (Maidenhead): May I join other hon. Members in congratulating the hon. Member for Keighley (Mrs. Cryer) on initiating the debate on this very important topic? We have heard a number of excellent speeches and I should particularly like to thank my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) for telling us of her experiences in these matters as a former Minister with responsibility for women. I also congratulate the hon. Member for Keighley on her courageous speech. It cannot have been easy to stand up and say what she said today. She spoke movingly and sensitively, and her comments gained the wholehearted support of everybody in the House.

It is a sad comment on the world today that, as we stand at the brink of a new millennium, it is still necessary for us to debate restrictions on human rights faced by so many women across the world. Different examples of those restrictions have been referred to in the debate. The lot of women in the UK has been improved over the years, as society has changed. Involvement in the political process has played a part in that, as an impetus for change; it is, perhaps, appropriate that we are having this debate in the week of the 70th anniversary of the extension of the vote to women.

I must say to the hon. Member for Taunton (Jackie Ballard) that, although her speech might have been something of a leadership bid, I thought that she rather missed the point of the debate. Many other hon. Members raised issues of extreme importance that the Government must take seriously and on which they must act. In many parts of the world—and also, as we have heard, for women in certain communities in the UK—the treatment of many women has not improved greatly over many generations. Those women are still treated as second-class citizens, because of cultural attitudes and traditions that apply within their communities.

I want to mention one issue that has not been fully addressed. One of the key developments that can open opportunities to women and improve their position in society is access to education. As UNICEF—the United Nations Children's Fund—reported at the international conference on girls' education last May, one of the problems in the world is that girls make up two thirds of the approximately 132 million children in developing countries who are not in school. There are 900 million illiterate adults in the world, of whom two thirds are female.

Education is a key to breaking out of poverty; it empowers individuals and encourages them to become active citizens. It enables them to have access to information about choices in their lives, and provides them with the skills and understanding to make those choices. In too many places, girls are discouraged or prevented from going to school; sometimes, that issue relates to the ability to access school because of distance or the number of places available. However, all too often, girls do not go to school because they are expected to stay at home to do the chores—or to enter into an early marriage, because of early pregnancies—or simply because school is considered to be a low priority for girls.

That is a problem in particular areas, such as sub-Saharan Africa, south Asia and some parts of the middle east and north Africa. It is a particular problem in Afghanistan, although I shall not refer to that in detail, because time is short and many hon. Members have already spoken of the very real concerns about the ways in which women are being appallingly treated by the Taliban regime there.

Education is not only important for itself; it offers a key to economic freedom and employment. The previous Government supported a number of projects, within the overseas aid budget, which were designed to help women to gain access to education and employment. Such projects included the micro-credit schemes, which enabled women to borrow in order to set themselves up in employment. That scheme was started in Bangladesh, but was extended, with our support, to other countries such as Kenya. We also encouraged community projects, with a particular emphasis on learning. Another issue—to which some hon. Members referred—was the important support for the provision of contraceptive advice through our children by choice not chance programme. All those moves were aimed at providing help and support to women, to enable them to make the choices necessary to change their lives.

Whatever support is provided, one fundamental problem is faced by women in many communities: the problem of cultural attitudes. There is always tension between our right to comment on alternative cultures and the freedom of others to choose to hold to those cultures. We must be sensitive to that tension, but when we see clear violations of basic human rights, it is right that we in this House should stand up and speak out, precisely as the hon. Member for Keighley and other hon. Members have done this morning.

Although we have mentioned a number of countries where there are human rights problems for women, the issues that strike us most are where there is clear evidence of abuses taking place in the UK. Although I do not have the same degree of experience as the hon. Members for Halifax (Mrs. Mahon) and for Keighley, I have had a constituency case in which an arranged marriage did not work and the woman found herself effectively detained against her will by her husband's family. For some, that is the stuff of paperback thrillers, but it happens to women in the UK.

Last year, I raised the issue of bounty hunters with the Home Secretary, and the Minister's response referred to the responsibilities of the police. The basic problem, however, lies with the community's attitude, which says that it is right to chase after young women who, as in the case of Zena, have chosen how they want to lead their lives. Their community says that that is wrong and is prepared to go to extreme lengths to prevent them from exercising the freedom of choice that we all take for granted. We expect that freedom of choice to be available to all UK citizens, regardless of their community, culture or background. I am interested to hear the Minister's response on this issue. The hon. Member for Keighley referred to the need for Asian community leaders to take that issue on board. What action are the Government taking to encourage that process, and to ensure that UK citizens are provided with the same freedom of choice and the same rights?

My hon. Friend the Member for Chesham and Amersham said that she was disappointed in the Government's attitude to women's issues. Since responsibility for women moved to the Department of Health, general women's issues have not been raised in health questions. I note that a Home Office Minister will respond to this debate. This, however, is neither the time nor the place to go into detail on that, because hon. Members have raised some serious issues and I look forward to the Minister's response.

I want to refer to the specific issue of female circumcision. Let us not call it female circumcision; female genital mutilation is the right description. It is appalling to hear what that involves for women who go through it—trauma, pain and suffering.

Members of Parliament are privileged to be able to raise these issues freely, and we have rightly exercised that privilege this morning. I congratulate the hon. Member for Keighley again on securing this debate, and I trust that the Minister will respond sensitively to the issues that have been raised.

12.23 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): This has been an important and good debate, and I congratulate my hon. Friend the Member for Keighley (Mrs. Cryer) on raising it.

I shall focus on the issue of forced marriages, but first I shall respond to some of the other issues that were raised. The hon. Member for Richmond Park (Dr. Tonge) asked for the Government's general position on human rights. We now have more women in Parliament and in the Government than ever before, and the Government seek to address the issues of access to education, domestic violence and child care in a cross-governmental and progressive way. We shall continue to develop our programme to enhance women's rights. She specifically asked about the human rights commission. It is an open debate and we are waiting to see how it develops once we have passed the Human Rights Bill.

My hon. Friend the Member for Halifax (Mrs. Mahon) discussed the appalling evidence of female genital mutilation. It is unlawful in Britain and I agree with my hon. Friends the Members for Halifax and for Calder Valley (Ms McCafferty), and with the hon. Member for Chesham and Amersham (Mrs. Gillan), that we must outrightly and forthrightly condemn that barbaric practice. On behalf of the Government, I condemn it. The Department for International Development is working hard in other countries to try to stop female genital mutilation.

I shall now deal with the issue of forced marriages. I wish to state clearly that forced marriages are wrong. It is distressing to hear of instances of young people entering marriages not with joy and expectation, but with trepidation and fear. That treatment of a woman within a

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marriage or a relationship is unacceptable. We cannot tolerate compulsion on individuals to marry. The Government have put human rights at the heart of their agenda, and incorporated the European convention in UK law. The United Nations universal declaration on human rights states that

> "marriage shall be entered into only with the free and full consent of the intending spouses".

Individuals' human rights should be respected by everyone. All British citizen should have equal rights and responsibilities, and respect for women's rights is central to that. It is incumbent on men and women in every community in this country to respect their partners, sisters, daughters and wives, and support them in making choices that will lead to fulfilling lives. Respect for the choices of others is important.

Different communities have different traditions, and we are proud that Britain is a multiracial society. We are the stronger for it. Our multiracial and diverse society should give due respect to different beliefs and traditions, but not at the price of conflict with the fundamental rights of individuals or the laws of this country.

The Government must respond sensitively on those issues, but multicultural sensitivity is no excuse for official silence or moral blindness. We long ago abolished laws that treated women as chattels. We cannot shelter or tolerate bad practices under the guise of sensitivity. The Bible, the Koran and other religious texts teach respect for women; the Government's position on this issue does not conflict with those great religious teachings. We must be careful that, in highlighting aspects of laws in some Muslim countries, we do not fall into the trap of branding Muslims as fundamentalists. British Muslims are, by and large, a sensible and moderate community that forms part of Britain's mainstream religious debate. This debate is not about Muslims—as one of my hon. Friends said, all faiths have their zealots; it is about behaviour which the vast majority of British Muslims would have no part in.

It is important to keep this issue, particularly its scale, in perspective. It is difficult to be precise about the scale, and I do not believe that the number of cases is large. The vast majority of families, from whichever community, want for their children more than they themselves achieved. That aspiration may include access to education, professional achievement, or marriage and family. We must recognise and understand the pressures on some families in this country today, and the problem of young people who may be forced into marriage.

Families that brought with them their traditions and values, and blended those with their responsibilities as citizens in this country, have contributed to our society in a tremendous way over the past 40 or 50 years. Their children and grandchildren have had educational opportunities, and their families have encouraged them in that. Many of those young women may wish to take a different path in life from their parents, and a different path from that which their parents may choose for them. That is not unique to a particular community. Young men in many of our communities, particularly in areas like Yorkshire, where some of my hon. Friends come from, have suffered severely from downturns in the local economy, the closing of mills and the loss of jobs. They hold on to marriage and the prospect of marriage as fundamental to their dignity and self-pride.

Expectation of an arranged marriage may be different on the part of the parents, the young man and the young woman. When one party to the marriage still lives overseas, another factor enters the equation of whether the marriage will succeed. However, the idea of arranged marriages should be separated from that of forced marriages. Many religious and ethnic communities have a long tradition of arranged marriages, and that tradition often works well. Indeed, I am aware of no evidence that arranged marriages are less successful than marriages that involve a greater freedom of choice. I have spoken to many women whose voluntary but arranged marriages have brought them great happiness.

The concern is not about arranged marriages; it is about forced marriages. Conflicting expectations can cause marriages to break down and it is important to ensure that communities get the message that any kind of marriage needs support to ensure that it is voluntarily entered into and successful. Organisations like Women's Aid and Southall Black Sisters have made an important contribution in raising the issue of forced marriages and putting the subject on our agenda.

We have heard about the important work being done in Bradford to deal with issues such as those raised by the case of Zena and Jack, which my hon. Friend the Member for Keighley described in her speech. We also heard the story of Asiya, who is on the run at 16 years of age. Those are appalling stories. The Government seek to support the Bradford police's work. I had intended to go into that matter in more detail, and to discuss issues related to entry control and to Afghanistan, but lack of time prevents that.

The Government are aware of the issue of forced marriages. We will not retreat into silence on these matters. The communities involved should not ignore the fate of these girls. The victims may be small in number, but their voice will not be ignored. The vast majority of members of their community condemn their ill treatment, and many of them have spoken out—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

University Students (Accommodation)

12.30 pm

Mr. Phil Willis (Harrogate and Knaresborough): I am grateful for the opportunity to express my concerns about student accommodation, and to raise these issues within hours of my noble Friend Lord Tope's doing so in the other place. I trust that the Minister will agree that the current registration, inspection and enforcement of health and safety standards for student accommodation are confused and unsatisfactory. Indeed, that applies to much of the rented housing sector.

I hope that the Minister will also agree that reform of the rented housing sector is necessary. Indeed, it was one of Labour's now famous manifesto promises:

> "We will provide protection where most needed: for tenants in houses in multiple occupation. There will be a proper system of licensing by local authorities which will benefit tenants and responsible landlords alike."

The Liberal Democrats share that manifesto commitment, and I would expect any future leader of my party vigorously to fight for it.

At present, 1.5 million students in higher education live in halls of residence, university-owned premises or private sector rented accommodation. Many of them live in shared houses. Students make up a significant proportion of the rented sector, and they suffer disproportionately because of their circumstances. For many students, that is their first experience of independent living, and it can often be a nightmare. I should declare an interest in that my son is a first-year undergraduate at Lancaster university and is discovering the joys of finding suitable accommodation for his second year.

It is not my intention to shroud-wave, but I remind the House that research on fire risk in HMOs published by the Department of the Environment, Transport and the Regions in 1997 found that bedsit tenants are six times more likely to die as a result of fire than adults in houses occupied by a single household, and that 45 per cent. of fire deaths in houses of multiple occupation occur in buildings with one or two storeys. Deaths from leaking gas appliances and from carbon monoxide fumes are still common. Ten students have lost their lives unnecessarily since 1990.

In 1996, the English house conditions survey reported that 12 per cent. of shared houses were unfit for human habitation, rising to 23 per cent. of houses that were divided into bedsits. Both types of accommodation are typical student accommodation. The situation has, if anything, worsened since 1996. Last year, that prompted the Chartered Institute of Environmental Health to issue a hard-hitting press statement, which said:

> "Some houses let to students are quite simply death traps. Students are in a particularly vulnerable position because they are often forced to rent housing which is on short term leases and only available to students, so removing pressure on the landlord to invest in long term improvements."

The 1997-98 National Union of Students survey of student accommodation costs revealed that 60 per cent. of a student's income goes on housing.

Mr. Harold Best (Leeds, North-West): Does the hon. Gentleman agree with me that among the many grievous problems to which he is drawing the House's attention are those associated with the serious decline in the housing stock and the communities where these properties are to be found? Is he aware that other hon. Members are trying to persuade the Department to move on this issue? Leeds district council is acting, with others, as a lead authority to bring about these changes.

Mr. Willis: I am grateful to the hon. Member for his intervention, because Leeds has many examples of good practice. UNIPOL has done a tremendous amount to vet student accommodation in the Leeds area, and has now become a major landlord. Leeds, Lancaster and Teesside city councils have some superb schemes on the go, and they should be extended across the country, so that there is a commonality of quality rather than just isolated pockets of excellence.

Housing costs affect not only students but the poorest members of our society, who, like the poorest students, spend a greater proportion of their income on housing costs but have the least choice.

I should like the Minister to respond to three issues: the legal definition of a house in multiple occupation; the licensing of HMOs and other rented properties; and the enforcement of health and safety regulations for all student properties, including HMOs.

The present confusion about the legal definition of what comprises an HMO must be resolved. Section 345 of the Housing Act 1985 states that an HMO is

> "a house which is occupied by persons who do not form a single household."

Between 1969 and 1995, an HMO was deemed to include student houses, which traditionally account for 56 per cent. of student accommodation. However, the Court of Appeal in the Barnes *v.* Sheffield City Council judgment ruled against that assumption, and, in effect, withdrew enforcement protection for a large body of students.

Sheffield city council had ordered the owners of a terraced house occupied by five female students to install fire escapes and other fire precautions. The owners refused, arguing that their property was not an HMO, so the council had no powers to insist on the improvements. Despite the fact that the students pursued entirely separate life styles, the court decided that it was a single household and not a house of multiple occupancy, because the students shared the facilities, had signed similar tenancy agreements, shared responsibility for cleaning and did not have locks on their doors. The Chartered Institute of Environmental Health and the vast majority of local authorities with large populations of students saw that judgment as an unscrupulous landlords' charter and roundly condemned it.

Mr. Richard Allan (Sheffield, Hallam): I am grateful to my hon. Friend for raising the issue of Sheffield. Several thousand of my constituents are students who live in such accommodation. Does he share my view that a proper, enforceable system of licensing would benefit not only students, but the host community, which wants high-quality housing in the area, not unscrupulous landlords who allow housing to fall into disrepair?

Mr. Willis: My hon. Friend echoes the comments made by the hon. Member for Leeds, North-West (Mr. Best). This issue is not just about students; it affects large areas, particularly the towns and cities with major student populations. Under the 1985 Act, local authorities can

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have a registration scheme if they so wish. However, large areas are excluded from registration, even under the current legislation. That anomaly should be sorted out.

Mr. Mike Hancock (Portsmouth, South): I appreciate my hon. Friend's raising of this issue. I would be interested to know whether he agrees with me that a fourth issue that should be tackled is the practice of universities that have irresponsibly encouraged more and more students to come to areas where they are located without having the proper housing resources and without the local authority or the community being able to absorb those students in suitable accommodation. Until that issue is addressed, we will be plagued by this problem across the nation.

Mr. Willis: I have tried not to get into that complex and difficult subject. My hon. Friend is right: the expansion of the student population in the past 10 years has overburdened some of our towns and cities. Universities have more often than not said that accommodation and the social well-being of students are not their responsibility. They are opting out of that responsibility, and that is a major problem.

Dr. Alan Whitehead (Southampton, Test): There is another widespread problem, which certainly affects Southampton. Institutes of higher education have attempted to build accommodation for students to take them out of the housing market, but they have done so on disadvantageous borrowing terms, with the result that the hall fees are high. Either students are being driven back into the private rented market, or universities and colleges are tempted to cut corners in order to meet the costs that they have themselves incurred.

Mr. Willis: Indeed, an enormous number of problems are arising. I know from a survey that I completed recently that one London university has refurbished a block principally to attract what I would call private sector guests during the summer, and now charges students £114 a week. I challenged that university: was it right for student accommodation to be treated in that way? I was simply told, "We have enough takers in London." I do not think that is the right attitude. Student accommodation is there to support students and their education.

The Barnes *v.* Sheffield City Council judgment was a landmark. The hon. Member for Leeds, West (Mr. Battle), a former housing spokesperson who is now the Minister for Energy and Industry, was quoted thus in the *Yorkshire Post* of 10 May 1995:

> "this has exposed a literally deadly loophole in the law".

The hon. Member for Eastwood (Mr. Murphy), then president of the National Union of Students, said:

> "This looks like a green light to treat students as second-class tenants".

How right they both were. Immediately, local authorities with large student populations saw an increase in lettings on a shared basis to evade health and safety regulations. In response to a recent survey by Shelter, Nottingham city council said:

> "Many landlords locally are very aware of the Barnes judgement. This is very worrying as it creates a 'sham' situation which is potentially dangerous to tenants".

Perhaps the most disturbing effect of the Barnes judgment, however, has been local authorities' reluctance to use their HMO powers to inspect shared houses or enforce standards because of their fear of losing their case in the courts. They have good reason: only last year, Islington council lost a similar case in the Rogers *v.* Islington Council judgment, although I am pleased to say that it is appealing that judgment.

Many tragedies have occurred because of the failure of licensing and regulation. In Australia, all properties available to let to non-related family members, whether in discrete units or as a household, must be licensed. Such a simplification of the law is required here: all properties offered to let should be subject to mandatory licensing and inspection. That would immediately remove the loopholes that currently allow unscrupulous landlords to avoid their responsibilities for health and safety, and would end the absurd situation in which shared houses are not covered by existing regulations. As in any other workplace, the landlord would be responsible in law to those who used his premises; and university accommodation, which is currently exempt from requirements for independent registration and inspection, would lose that exemption.

There is an urgent need to replace the cumbersome framework for regulating standards in the private and public rented sectors, but that cannot be done until we have an effective licensing system. I hope that is what the Government had in mind when they promised a consultation document on the shape of licensing earlier this year. Can the Minister assure us, without prejudicing the outcome of that document, that the consultation will be about all rented accommodation, not just existing HMOs? Can he assure us that the present system under which universities are exempt from local authority HMO registration requirements will be ended, and that the practice of self-regulation will also be abandoned? In short, can he assure us that all student accommodation will come into the same broad category as other similar rented accommodation, and that it will not be assumed that universities or colleges do things better?

Finally, may I plead with the Minister to simplify the whole regulation and inspection framework? Local authorities have powers of entry to registered properties, under part IV of the Housing Act 1985, to require works to make houses safe and fit for human habitation. The Health and Safety Executive has powers to enforce the requirements of the gas safety regulations, but has not enough resources to inspect adequately. Trading standards authorities have powers to enforce furniture and furnishings regulations, but have no powers of entry. It is small wonder that responsible landlords throw up their hands in horror, and irresponsible landlords hide behind the confusion.

Local authorities should act as one-stop shops to enforce all the regulations during a single inspection. That would cut costs, increase efficiency, build up relationships with landlords and, above all, ensure that tenants were fully protected.

I suspect that little separates the Minister and me in terms of our objectives for the protection of students and other members of the public. We look to him to end the confusion over HMOs, and to fully license and regulate all rented student properties.

12.45 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I congratulate the hon. Member for Harrogate and Knaresborough (Mr. Willis) on securing the debate, and on using it to raise an extremely important subject. By happy coincidence, today's debate follows a debate in the other place, which the hon. Gentleman mentioned. It was initiated by his noble Friend Lord Tope, and my noble Friend Lady Farrington responded.

The hon. Gentleman declared an interest: his son is a first-year student at Lancaster university. That has nudged me to declare a potential interest: my eldest daughter expects to go to university next year. The hon. Gentleman made a number of important points, as did several other hon. Members. I am glad that he was gracious enough to give way to his hon. Friends, and also to two of mine. I note the failure of any Conservative Members to attend this important debate.

I can reassure the hon. Gentleman and the House that the Government share his concerns, and are addressing them. I shall try to respond to his points in detail.

We are committed to introducing a national licensing scheme for houses in multiple occupation, which play an important role in providing student accommodation. We recognise the risks and problems in that part of the private rented sector. The worst housing conditions are often found in such accommodation. HMOs can present a number of risks to those who live in them. As with other housing, there may be problems of structural instability, disrepair, damp or a lack of adequate facilities. The 1996 English house conditions survey found that just under 10 per cent. of private sector HMOs failed to meet the general housing fitness standard. The 1996 definition was more stringent than earlier definitions.

There are particular risks associated with multiple occupancy. For example, kitchen, washing and toilet facilities may be entirely inadequate for the number of occupants. Houses may be overcrowded. The English house conditions survey found that 40 per cent. of houses providing bedsit accommodation were unfit for the number of occupants. That is a stunning figure, and a clear indication of the problems of overcrowding.

Fire safety is a particular worry. Research by our Department shows that—as the hon. Gentleman said—in some types of HMO the risk of death by fire may be six times greater than that in comparable single-occupancy accommodation. That is particularly serious.

Given the obvious need for the problems to be tackled, the Government intend to consult on proposals for a national and mandatory HMO licensing scheme. We hope to issue our consultation paper early this year. The Government are determined to protect the most vulnerable sections of the community from exploitation by unscrupulous or uncaring landlords. We aim to ensure that HMOs are safe, and provide acceptable living conditions.

We intend the new system to be comprehensive and effective. We especially want to avoid the ambiguities in definition, and the consequent enforcement difficulties, associated with existing HMO controls. At the same time, we recognise the need to ensure that unnecessary burdens are not placed on good landlords who provide a proper standard of accommodation.

HMOs play an important role in providing housing for groups of people, including students, who may have difficulty finding alternative accommodation, so our objective is to improve standards in HMOs, rather than to close them. Obviously, those in the worst condition may, in certain cases, require closure, but the objective is to raise standards, rather than to discourage HMOs, which, if well managed and maintained, can provide appropriate accommodation not just for students, but for other single people who are looking for such accommodation.

The hon. Member for Harrogate and Knaresborough raised the case of Barnes *v.* Sheffield city council. We are well aware of the difficulties with the definition of a multi-occupied house, particularly in relation to shared houses of the type occupied by students. I find it difficult to understand how the Court of Appeal can have reached the conclusion that a property that is occupied by a significant number of independent students can be treated other than as a house in multiple occupation, but it is not for me to comment on the law. I can respond only to the situation that is created by the judgment.

We recognise that there is a problem; we are keen that it should be dealt with. We intend to adopt a more precise definition for the purposes of both the proposed licensing system and other HMO-specific controls.

Views on suitable alternatives and definitions will be sought in our forthcoming consultation paper on licensing. One option is to use a definition that is based on that currently used for licensing in Scotland. That would apply to all houses that are shared by members of more than two families, thereby overcoming the problem that presented itself in the case of Barnes *v.* Sheffield city council. There may be difficulties associated with that particular approach, so we are not recommending it, but we will put it forward as one option for consideration in the consultation. We recognise that the vast majority of houses that are shared by students would be covered by the Scottish definition.

We are not convinced of the case for licensing all the private rented sector. There are two principal reasons for that. Such a scheme could be unduly bureaucratic and would involve unnecessary visits to properties that are in perfectly good condition and well maintained. Equally, we would not wish to discourage the supply of rented accommodation with a system that appeared to be unduly restrictive. However, we are concerned at conditions in the lower end of the privately rented market. If existing voluntary arrangements and any new voluntary arrangements that develop over the next year or two in response to our concerns do not raise standards adequately over time, we will consider alternative options.

We need to consider carefully how HMO licensing might work and what standards should be achieved. We also need to consider the cost to landlords and to local authorities that will administer the system. We do not want to impose a regime that proves unworkable and that leads to many landlords withdrawing their properties from the market rather than bringing them up to acceptable standards.

The Government view licensing as the primary control mechanism for ensuring acceptable standards in HMOs. Therefore a wide range of issues affecting the health and safety of HMO residents will be addressed in the consultation paper. Licensing criteria will cover three main areas: the physical condition of the premises, their management and the fitness of the licensee. We want to set published standards that are proportionate to fire and other health and safety risks, and which will be

[Mr. Nick Raynsford]

consistently enforced throughout the country. They will also need to be compatible with possible changes to the general housing fitness standard following the current review.

As the hon. Gentleman will understand, definitions must relate to the type of property and how the property is occupied, rather than to the type of tenant. I cannot therefore give him the assurance that all accommodation that is occupied by students will be covered. Nevertheless, we recognise that many students will occupy HMOs and accommodation that is likely to come within the definition of HMOs. We will set that out in the consultation paper.

Primary legislation will be required to introduce the scheme. The Government will legislate as soon as an opportunity becomes available.

The hon. Gentleman referred to inspection and enforcement arrangements. I can assure him that we want an effective enforcement regime that avoids conflict and overlap. Our consultation paper will examine the relationship between our proposed licensing regime and other present or proposed legislation that may apply to HMOs—for example, in respect of fire safety and gas appliances, both of which raise important issues.

While not prejudging the consultation, we will want to ensure that the respective expertise of the fire, health and safety and housing authorities is used to best effect. We envisage that local housing authorities will continue to be the first point of contact for licensable premises. We recognise the benefits of the existing one-stop shop approach that is provided to landlords by housing authorities.

I can also advise the hon. Gentleman that the Health and Safety Executive, as part of its comprehensive review of gas safety, is considering alternative enforcement strategies and bodies. Currently, the HSE is the sole enforcing authority for gas safety legislation, although it works closely with local authorities.

The HSE review is considering, among other issues, whether local authority environmental health officers should undertake gas safety inspection and enforcement. I do not wish to prejudge the review, but it may make sense for gas safety work to be integrated into housing authority inspection of HMOs. The HSE review's recommendations should be available by the end of the current year.

Mr. Willis: Will the Minister deal with the responsibilities of trading standards departments for furnishings and fittings, particularly furniture, which have to meet safety standards? Does he envisage that, particularly where we have two-tier authorities, with a district and a county having those responsibilities, environmental health departments will be able to take them on as well, so that we genuinely have a one-stop shop and, when an inspector goes to a property, he looks at everything from the gas appliance to the curtains and settee?

Mr. Raynsford: I can give the hon. Gentleman the assurance that we are keen to have a properly integrated approach that ensures the minimum duplication and overlap. He will understand that I cannot give a precise commitment in advance of the publication of the consultation paper, but I can assure him that we are looking to achieve that level of integration.

Local authorities have significant and wide-ranging powers to take action to ensure acceptable standards in HMOs. They can require landlords to carry out works if they consider that the HMO is not fit for the number of occupants on specified grounds—if there are inadequate kitchen, washing or toilet facilities, inadequate means of escape from fire, or other inadequate fire precautions. I accept that there may be definitional difficulties; we have touched on those in relation to the Barnes *v.* Sheffield city council case. However, in general, local authorities have powers that can help to tackle the problems. They can also require works to remedy management neglect, and can impose limits on the number of occupants.

Failure to carry out works is an offence. Authorities can do the work themselves and recover the cost, although I recognise that there is often anxiety that they may not be able to recover it. HMO managers also have a duty to maintain premises and certain installations, including gas appliances. Non-compliance is a criminal offence.

Local authorities have discretion to introduce HMO registration schemes. Those require HMO landlords to register properties that are covered by the scheme with the authority. Such schemes may have wider powers than general HMO legislation, and include the power to refuse or to revoke registration if acceptable standards are not met. We are encouraging local authorities to adopt registration schemes, using their existing HMO powers as an interim measure, pending introduction of the new mandatory national licensing system.

I have made clear the Government's commitment to tackling the problems in HMOs, which are used largely by students, as well as by other groups, and our commitment to introducing in the near future a full consultation on the proposals for an HMO licensing scheme. I hope that the hon. Gentleman is reassured that the Government take those issues seriously and are actively addressing them.

Private Finance Initiative

12.59 pm

Mr. Llew Smith (Blaenau Gwent): When my right hon. Friend the Member for Camberwell and Peckham (Ms Harman) was shadow Health Secretary, she stated:

> "When the private sector is building, owning, managing and running a hospital it has been privatised".

I agree with that sentiment. Many organisations that I shall mention later in my speech have said that that position has been realised by the implementation of the private finance initiative, under which public facilities are owned and run by private-sector companies that either lease them back or charge the public authority for providing the service.

Some time ago, Unison, which is the largest public service trade union and has considerable expertise on the subject, warned that the PFI was the latest Conservative scheme for privatisation and argued:

> "Under the PFI the private sector pays for replacing or refurbishing public assets, such as computer systems or a new hospital, and is given a very long contract to operate the assets or to run the associated services and the jobs involved are transferred to the private company. The private sector recoups the money it has spent through a charge for the services it provides."

We have heard the views of my right hon. Friend the Member for Camberwell and Peckham and of Unison, the major trade union within the public services. Will Hutton, the editor of *The Observer*, has done considerable research on the subject. He concluded that the

> "PFI is becoming the means of literally privatising the state"

and called for

> "it to be scrapped".

So there is unity and agreement between my right hon. Friend the Member for Camberwell and Peckham, Unison, the editor of *The Observer* and me. That is quite an achievement on a Wednesday morning.

As someone who is neither old nor new Labour, but just Labour and who represents Blaenau Gwent, the birthplace of the national health service, I would have expected a Labour Government to scrap the PFI, which, understandably, was introduced by the Tory Government, who hated the idea of public service. Yet instead, the present Government are increasingly putting our future into the hands of PFIs.

Other Opposition parties also supported Labour's position in opposition and in government. Surely a Labour Government, whose party constitution describes itself as "Democratic Socialist", should value public services and seek to extend their role in society, recognising that they enhance life chances in communities such as mine.

If the Minister is not willing to accept the views of my right hon. Friend the Member for Camberwell and Peckham, Unison, Will Hutton or me, perhaps he will accept the report of the Treasury task force on PFI, which states:

> "The PFI transforms Government Departments and Agencies from being owners and operators of assets into purchasers of services from the private sector. PFI firms become long term providers of services rather than simply upfront asset builders, combining the responsibilities of designing, building, financing and operating the assets in order to deliver the services demanded by the public sector."

Given the views of such a wide group of people and organisations, it is not surprising that the Trades Union Congress also condemned PFI in principle, instructing

> "the General Council to campaign for the ending of PFI . . . and to press the Government to reinstate proper capital funding to ensure the future infrastructure of the public services in a way that does not damage jobs and services."

Indeed, I remember a Labour policy document in 1995 describing PFIs as "creeping privatisation" and, as always, I support the position of my party. However, now it appears that the PFI is being presented as some kind of miracle cure to overcome the problems of financing our public services.

Peter Riplett, former group economist of Tarmac and hardly a member of the hard left, or even the campaign group, recognised that

> "the initiative will cost taxpayers much more in the long term than the traditional system of paying for the public investment, either out of current tax revenues or from borrowing".

The reason is obvious. The cost of obtaining the funds from the private sector will not be as low as the Government could borrow from the national loan fund which comes with Government guarantees, is backed by tax revenues and borrowing and is inevitably and intuitively the cheapest way of raising funds.

Once again, if the Minister rejects my opinion and that of Peter Riplett, perhaps he will listen to Graham Watts of the Construction Industry Council, who estimated that an average hospital project could cost the final selected bidder as much as 4.3 per cent. of the total project value. As I said, that is because it costs far more for the private sector than for the public sector to borrow money because of higher interest rates and the need to make a higher rate of return.

The financing of the PFI can also have serious implications for public bodies such as local authorities. That was recognised in the Audit Commission report entitled "Taking the Initiative—A framework for purchasing under the Private Finance Initiative". It discusses the long period of contract in PFI on public bodies and argues that it could

> "restrict the future flexibility of the body to determine the way the services are provided".

It continues:

> "Not only is this commitment likely to limit the ability to switch resources in the future but, in the event of the need to cut spending, the PFI contract payment is likely to be protected from any cutbacks. The corollary is that non-PFI expenditure may have to carry proportionately deeper cuts."

Putting aside all those criticisms, we are expected to believe that the PFI was intended to be additional to public provisions, yet the Tory Government left us in no doubt that they intended to substitute for publicly financed capital expenditure, enabling them to cut the capital budget.

It is not surprising that the Treasury Committee concluded:

> "In our view the PFI is now being treated by the Government as substantial. It is enabling the Government to cut capital budgets in future plans."

As that was the conclusion of the Treasury Committee in respect of the Tory Government, how could the position be different under the present Government, who for their first two years in office have retained the same public expenditure plans?

[Mr. Llew Smith]

Let us be in no doubt that the PFI is not providing a public service; it is about making money and profits by cutting the service provided or the costs involved. For example, eventually fewer staff are employed—on inferior pay and conditions. New staff are not protected by the agreements that applied previously.

Allyson Pollock, in an article published in the *British Medical Journal*, states that her research shows that PFI

> "schemes are characterised by a marked reduction in available bed capacity of about 25 to 30 per cent."

An example of the deterioration in service was given by Will Hutton, who stated in *The Observer*:

> "PFI hospitals have adopted very high throughput ratios to compensate for their dramatic bed reductions that imply no spare capacity whatsoever."

The Welsh Institute for Social Health and Care recently produced a preliminary examination of three PFI projects in Wales including the new hospital at Mount Pleasant, Chepstow, in the constituency of my hon. Friend the Member for Monmouth (Mr. Edwards). It stated that a private consortium was chosen to design and build the facility on the sight of the former Mount Pleasant hospital. The trust granted the consortium a peppercorn lease for the land and paid an advance capital sum of £3.2 million to the consortium in order to reduce the annual revenue cost of renting the facility. Without that capital advance, the annual charge would have been £1.2 million. With the advance, the consortium will receive £756,000 per annum, to make the facility available.

The report went on to say that, as part of the overall deal, the NHS was able to release land—27 acres in all—at St. Lawrence hospital and at Mount Pleasant hospital. By selling the land directly on the open market, the NHS was able to make £440,000 per acre. Consequently, that cash was available to the national health service.

The report said that the outline building case for the new build at Mount Pleasant estimated that the cost would be £13.7 million to provide an 84-bed unit with minor treatment, X-ray, community deal and out-patient facilities. Thus—this is the important point—the income from the land sold, which was equivalent to £11.8 million of the assumed capital cost of the public sector comparator, would have financed 86 per cent. of the new build cost if the trust had been allowed to retain it.

The scheme therefore did not have to take the PFI route to acquire most of the necessary capital funds, as the land equity was almost sufficient to provide them. Moreover, under the rules currently operating in the national health service, most of the income—less the £3.2 million advance payment—was forwarded to the Welsh Office, presumably to be used in other parts of the NHS. The Welsh Office should examine that practice, and consider changing it.

Before entering the Chamber today, I was speaking to a fellow hon. Member, who approached me and said that a school in his constituency was being built under the PFI. He said that the project's legal costs were about £45,000. His community did not benefit from that money, although I suppose that the lawyers did. The people in his community lost a benefit, as two teachers could have been employed with that £45,000. The Labour Government—who have a different set of priorities from the previous Government—must appreciate that £45,000 spent on two teachers is better than the same sum paid out to a set of lawyers.

Loss of accountability is another problem with the PFI. Often, information on PFIs is withheld because of excuses of commercial confidentiality. We all know that commercial confidentiality is often used as an excuse in preventing the public from finding out what is happening in certain areas.

If there is a problem with a PFI contract, who will be responsible for dealing with it, especially if the firm originally involved in the project and holding the equity is sold on to another company? Accountability is affected also if a council's cash and other assets are transferred to a company gaining control of a PFI project. For how long will contracts be monitored, especially if a council has lost many of its own staff to the company taking over a PFI?

Why have successive Governments been so eager to support the PFI? Unison and the Welsh Institute for Health and Social Care agree that there are two main reasons for the support. The first is the requirement to reduce the public sector borrowing requirement, so that we can meet the Maastricht criteria. Governments hope that the PFI will remove investment from the public sector balance sheet. Therefore, as a community, we are expected to forgo services so that we may fulfil the Maastricht criteria. It is therefore not surprising that some hon. Members continue to oppose Britain's entry into the single currency.

The second reason for Governments' support of the PFI is their desire to introduce market-type incentives into public services, as a means of improving productivity. Most people welcome improved productivity. However, the type of productivity increases that I have mentioned today and that has been documented by many researchers in hospitals and other establishments receiving PFI funding has been achieved only to the detriment of the person—the patient, for example—using the service.

I should like to think that all the concerns expressed by the organisations that I have mentioned today are unfounded, but I do not believe that they are. My position is identical to the position taken by Labour in 1995, when we said that the PFI was equivalent to "creeping privatisation". I therefore support the TUC's campaign to end the PFI.

I want a Labour Government who defend public services and believe in the concept of service. Public services enhance the life chances of our communities, and not the life chances of a few people who think of public service as a way of making money—profits—at the community's expense. We are asking the Government to put people before profit.

1.16 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): I thank my hon. Friend the Member for Blaenau Gwent (Mr. Smith) for raising an important subject, and for doing so with his customary good humour and gentle use of irony. His speech was not only well researched but heartfelt. I also welcome the opportunity of replying to the debate, as it gives me a chance to outline the Government's progress on the private finance initiative, our further plans for its reform, and our wider commitment to developing public-private partnerships.

My hon. Friend the Member for Blaenau Gwent said in his speech that he is particularly concerned about the effect and use of the PFI in the health sector. I know that he will not object—and I trust that you will not, Mr. Deputy Speaker—if I use this opportunity, as a Health Minister, to announce that I am today establishing a group under the chairmanship of Professor Ian Cameron, provost and vice-chancellor of the university of Wales college of medicine, to examine meningococcal infection in Wales.

The chief medical officer in Wales will nominate individuals with appropriate experience and knowledge to serve in the group, which the National Meningitis Trust and the Meningitis Research Foundation will be asked to join. I shall be asking Professor Cameron to report to me on the matter as soon as possible.

I thank you, Mr. Deputy Speaker, for allowing me to make that announcement.

Since the Government were elected to office, in May 1997, we have revitalised the PFI, so that we can now rightly say that it is a key tool in helping to provide effective and good-value public services. Since the general election, we have signed £4 billion-worth of PFI deals and have made the PFI work in sectors, such as health, in which it had not worked before.

We estimate that, by the end of 1999, private sector investment in PFI projects will account for about 14 per cent. of overall public sector investment. Accompanying the turnaround has been an upsurge in confidence, both in the public and private sectors, that the PFI can deliver the goods. We are now seeing its benefits spread to other parts of the public service, such as our schools.

The Government are working closely with local government to use the PFI to improve public services. The Welsh Office has made PFI credits available, amounting to £150 million, to enable our six local authority pathfinder schemes to begin. The schemes were chosen to provide templates for future projects in Wales, and we anticipate that the first deals will be signed in the next few months. Additionally, we have recently announced another £120 million of credit that will be made available, and have invited Welsh local authorities to make proposals on their next wave of PFI projects.

The transport sector led the way in the PFI. It is worth remembering that, a decade ago, my right hon. Friend the Deputy Prime Minister was first in proposing the type of public-private partnership arrangements that are now delivering the goods in transport. Schemes in progress include the channel high-speed rail link and dualling of the A55 across Anglesey. The Government are proud of our record on PFI, and we have been able to get it moving.

When we came to office, we were prepared to take tough decisions. For instance, in the NHS in England, we established a system to prioritise PFI projects to break the logjam that had been allowed to build up. Health service need now dictates which PFI projects get the go-ahead and, to date, 25 new hospital developments have been given the green light as part of the biggest hospital programme in the history of the NHS. Work on nine is already under way.

In Wales, we have made significant progress in getting PFI in health off the ground. Deals with a capital value of over £30 million have now been signed for projects ranging from staff residences and clinical waste disposal through to operating theatres and renal units.

We are particularly proud that, through the PFI, the people of Chepstow will soon benefit from a new, purpose-built community hospital, replacing old, out-dated and worn-out accommodation.

Mr. Huw Edwards (Monmouth): I thank my hon. Friend the Member for Blaenau Gwent (Mr. Smith) for expressing the reservations that many people have had about PFI, and which some of us had when Labour was in opposition. Will my hon. Friend the Minister accept that the people of Chepstow, having seen delay after delay, are grateful that the Government are ensuring that the problems associated with PFI under the previous Government have been resolved to some degree, and that there will be a new hospital in Chepstow? Will he assure us that PFI will not be associated with a significant—or minor—deterioration in the pay and conditions of staff working in hospitals?

Mr. Jones: I am pleased to hear my hon. Friend's remarks. My father is a constituent of his and lives near the hospital site, and I know that the people of Chepstow have waited too long for the hospital to be developed. I can assure him that staff will be covered by the Transfer of Undertakings (Protection of Employment) Regulations 1981—TUPE—to safeguard their interests in any transfer of employment.

Mr. Llew Smith: Does the Minister accept that the question is not whether there should be a new hospital in Chepstow? Obviously, we all welcome that. The question is whether the hospital should be funded by public money or by PFI. Can the Minister explain why it needed to be a PFI project when 86 per cent. of the money could have been raised from the sale of the land? Is he saying that the conditions of staff in the long term will be protected, and that new staff will receive similar protection? Does he accept that this is privatisation of public services—a point we accepted as a party in 1995?

Mr. Jones: My hon. Friend made a number of those points in his speech, and I intend to address them in my speech if I am able to move on. The Chepstow PFI project was judged to be value for money with the land value included, and the treatment of the land in the deal was cleared by the Treasury.

The University hospital of Wales has been quick to grasp the opportunities that partnership can offer. Patients, visitors and staff are able to get on to the site and park much more easily thanks to a multi-storey car park and access road constructed through the PFI. A new entrance, concourse and reception area—again, built through the PFI—has improved enormously the environment and facilities for all users of the site, and has corrected long-standing problems dating back to the original design of the hospital.

The PFI is also helping the NHS to become increasingly energy-efficient. A significant number of NHS trusts are now entering into energy management contracts with specialist service providers and obtaining substantial savings which can then be reinvested in direct patient care. These important and valuable developments would have been very difficult, if not impossible, to achieve without partnership under PFI, and would have required us to divert scarce resources away from other health priorities.

[Mr. Jones]

The previous Administration, under the right hon. Member for Wokingham (Mr. Redwood), actually took capital money away from the NHS in Wales and left us a legacy of aging and poorly equipped hospitals. We are working hard to restore our capacity to fund new capital developments in those cases where the PFI cannot offer a solution. However, as the schemes prove, the PFI can provide real and valuable alternatives and can offer excellent value for money. It also enables us to address urgent priorities now, rather than have important schemes wait until new public funds can be found.

Mr. Harry Barnes (North-East Derbyshire): Will my hon. Friend give way?

Mr. Jones: No, I will not give way. I have only another five minutes to complete my speech.

For the future, negotiations are now well advanced with private sector partners on proposals to provide new hospitals to serve Neath and Port Talbot, and in western Cardiff. Elsewhere in Wales, the national health service continues to explore the potential for the PFI to help deliver new buildings and high-quality services.

We have been able to make PFI work because we have been prepared to take head-on some of the logistical problems that bedevilled PFI in the past. One of our first actions was to appoint Sir Malcolm Bates to review the PFI process. He did an excellent job in analysing problems and, more importantly, finding solutions. Since Sir Malcolm reported, we have fully implemented all of his recommendations.

In addition, we have been able to make PFI work because we have recognised the importance of getting the interests of staff right when evaluating bids and contracts. Openness between bidders, trade unions and staff is an essential part of the PFI. PFI is not a secret process. That is why we have published guidelines on the consultation of staff and other interested bodies, as well as requiring the publication of key business cases and PFI documents.

Mr. Llew Smith: Answer the question, Jon.

Mr. Jones: Perhaps I am not answering the question in the way that my hon. Friend would like. If my hon. Friend is ideologically opposed to the whole concept of PFI, there is nothing that I, as a Minister, can say that will satisfy him. The Government have ensured that the maximum transparency and fairness is incorporated into the way in which the negotiations take place.

There is always room for improvement, and the Government recognise that. We will be taking action to make PFI deals easier to complete. We are now looking at how to streamline the process of putting a PFI deal together. There is little doubt that both time and money can be saved by having standard template contracts. We published draft guidance on standard model clauses this month. Next month, we will publish guidance on accounting treatment that will help determine the level of risk transfer that will deliver best value for money.

We have also asked Sir Malcolm Bates to take a second look at the PFI—and public-private partnerships more generally—to see how the Government can further refine our approach. That is because each project is different. That fact is a reflection of the different problems and priorities in different settings.

We want to improve public services, to get better value for money, to provide incentives for effective business management, to correct underinvestment, and to optimise capital investment flow. That diversity calls for the development of a new approach to enable the public and private sectors to work together. The Government will be taking a lead in that process in the months ahead.

Rural Pharmacies (Mid-Norfolk)

1.29 pm

Mr. Keith Simpson (Mid-Norfolk): This subject has been brought to my attention by a wide variety of constituents: doctors, pharmacists, people in the health authority and, of course, members of the public. It is an issue not just in my constituency and the rest of Norfolk—I acknowledge the presence of my hon. Friends the Members for North Norfolk (Mr. Prior) and for Wantage (Mr. Jackson); it has been brought to the attention of many hon. Members with rural constituencies.

The question of dispensing doctors and pharmacists has for many years aroused heated debate both between the two professions and within each of them. My purpose in raising the subject is not to take sides; I believe that it would be a very foolish politician who did so, and I can see that the Minister agrees. I want to bring to the Minister's attention the concerns of my constituents who, as patients, are rightly worried, and to find out whether he—a recently appointed Minister in a relatively new Government—has any intention of either amending the National Health Service (Pharmaceutical Services) Regulations 1992 or using his good offices to help to resolve a dispute that has been rumbling on for years, if not decades.

I recognise that, for some time, the General Practitioners Committee and the Pharmaceutical Services Negotiating Committee have been trying to resolve areas of dispute. I hope that what is said here will be constructive and not impede those talks. It has been a principle since the health service was established that it is for doctors to prescribe and pharmacists to dispense, although that has often been more in principle than in practice; in theory, patients get the benefit of the expertise of both professions.

In certain circumstances, doctors are permitted to provide pharmaceutical services for their patients rather than referring them to a pharmacist. The relevant legislation is in regulations 19 to 21 of the National Health Service (Pharmaceutical Services) Regulations 1992. The first circumstance in which that applies is when the patient lives in what is called a controlled locality—an area designated as rural by the local health authority—and is more than one mile from the pharmacy. In that case, the general practitioner can apply for outline consent. The regulations deal with how areas are designated as rural by the health authority and make provision for the local medical or pharmaceutical committee to appeal against the authority's decision.

The second circumstance is when patients satisfy their health authority that they would have serious difficulty obtaining the drugs or appliances from a pharmacy

> "by reason of distance or inadequacy of means of communication".

In that case, the regulations do not specify what distance would constitute serious difficulty, so the discretion is left to the health authority.

Because GPs in rural areas often depend on their dispensing for a significant part of their income, in support of their practice, it clearly has been and will continue to be a matter of grave concern to them if a pharmacist applies to open a pharmacy in their area. We should all be aware of that fact, which has been brought home to me by several doctors in my constituency. It is undoubtedly a crucial factor, and we should not duck it.

When it appears that a change is to be made to a doctor's dispensary, there is great upset and resentment among patients, many of whom are elderly, invalids or with limited transport. I have heard about that at at least one public meeting, and it is a matter of heartfelt concern to many patients.

Mr. Robert Jackson (Wantage): There is a similar problem in Shrivenham in my constituency. The arrangements seem to leave everyone dissatisfied. The pharmacists do not have commercial freedom and doctors and their patients—my constituents—have found the procedure for appeal very remote. I strongly support my hon. Friend's efforts to get the matter reviewed.

Mr. Simpson: I thank my hon. Friend; he and I had discussions on this matter with the hon. Member for South Swindon (Ms Drown) several weeks ago.

My constituency fulfils many of the main criteria for a rural constituency. It is 60 miles wide and 20 miles deep, resting like a large banana astride Norwich, with four main towns—Dereham is the largest, with 16,000 inhabitants, and Reepham, where I live, the smallest, with 3,000—and many villages and hamlets. There is no centre to my constituency except me.

Mid-Norfolk forms part of East Norfolk health authority, which has kindly provided me with up-to-date statistics for the whole area, but I suspect that the profile can be applied more narrowly to my constituency. The statistics give us a framework on which to work. As at 31 January, there were 104 pharmacies in contract with Norfolk Health, of which 56 are branches of a national chain, 12 branches of a local chain, 32 independent and four co-owned by GPs; 39 are located in towns or city centres, 29 in local shopping or residential areas, 19 in village centres, 10 in or adjacent to GP surgeries and seven in supermarkets.

There are 87 medical practices in contract with Norfolk Health, of which 42, or 48 per cent., are dispensing practices. That is a high and significant percentage. There are 636,477 patients—at least, there were last night—registered with Norfolk Health medical practices, of whom 141,554, or 22 per cent., receive a dispensing service. Nearly all those are in the rural area.

How can we help to resolve what has been in many, but not all, cases a dispute between dispensing doctors and pharmacists? Frankly, successive Health Ministers, aware of the potential minefield, have clung to the regulations and, understandably, not wanted to get directly involved. I consulted a former Health Minister last night, who said, "If only you had spoken to me earlier; I would have suggested that you did not raise this in an Adjournment debate. It is a minefield." Be that as it may, I have done so willingly.

The Minister's immediate predecessor, now elevated as Chief Secretary to the Treasury, where he will undoubtedly take a different view of health expenditure, wrote to me on 16 November 1997, in reply to points raised by a constituent of mine about the possible loss of a dispensary in one of our rural surgeries. He said:

> "Ministers are aware of the complex issues surrounding rural dispensing and of how strongly local communities feel about the provision of pharmaceutical services in these areas. Decisions on applications to dispense under the NHS in rural areas are made by the local health authority, and an appeal by the Family Health

[Mr. Simpson]

> Services Appeal Authority, under regulations. These regulations were developed after many years of dispute and argument between the medical and pharmaceutical professions.
>
> You will appreciate that Ministers will be very wary of making any changes to the regulations that could potentially usher in a further period of inter-professional disharmony"—

a marvellous civil service phrase—

> "similar to that which was prevalent in the past."

Mr. David Prior (North Norfolk): Does my hon. Friend agree that the huge number of applications for new supermarkets in both his constituency and mine is likely to increase the disharmony, as the traditional business done by pharmacists comes under increasing pressure?

Mr. Simpson: That is a powerful point. Such competition will indeed bring even more disharmony.

The highly emotive issue of dispensing doctors and pharmacists is, I believe, primarily about public perceptions, especially in rural areas, where many patients cannot recall receiving the service other than at their local surgery. It is a question of the provision of the best possible medical support for patients. It is also about money, and we should not duck that. It involves not only profit and loss for doctors and pharmacists but the NHS budget. It is something for which taxpayers should be aware they are all paying.

Finally, all involved—the Department of Health, health authorities, doctors and pharmacists—need to recognise that they provide a service to the public, who must come first, whatever the professionals' strong feelings. However, I do not underestimate the fact that doctors and pharmacists aim to provide the very best medical cover and support.

I conclude where I began—on, I hope, a constructive note. The issue has aroused interest and passion in my constituency, in other rural constituencies—as my hon. Friends the Members for Wantage and for North Norfolk mentioned—and on both sides of the House. I hope that the General Practitioners Committee and the Pharmaceutical Services Negotiating Committee, which will be tackling the problem, will take note of this debate and will take heart from the fact that Members of Parliament, speaking on behalf of their constituents, desire that a real effort be made to solve the problem.

The Minister has a responsibility—first, through his guardianship of the regulations and, secondly, through his ability to use his good offices—to further the negotiations between two highly respected professional bodies which may soon approach him with, we hope, constructive ideas on how best to take the matter forward. Success will benefit my constituents and those of other hon. Members.

1.41 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate the hon. Member for Mid-Norfolk (Mr. Simpson) on securing this debate and thank him for the constructive way in which he asked his questions and acknowledged some of the difficulties involved. As he said, I am relatively new to my job, and Adjournment debates perhaps have the effect of drawing to my attention some of the particular, but none the less important, nooks and crannies of the national health service and the way in which we deliver our primary care services.

General practitioners and community pharmacies make a vital contribution to primary care in rural areas, and to the national health service in general. Most people recognise that the best primary care is provided when the skills of all professionals—GPs, pharmacists, nurses and others—are deployed together as part of a co-ordinated, seamless service which focuses on patients, not on organisations or administrative structures.

High-quality primary care is central to our agenda for the new NHS. That is as true for country areas as it for towns and cities. Our vision of the NHS is inclusive—we want the highest possible standards of quality and efficiency throughout the country.

Rural areas are relatively well provided with GPs. They tend to have lower morbidity than urban areas, and rather more GPs on a weighted capitation basis. The reimbursement of surgery premises costs and some staff costs means that there is no disincentive to GPs to practise in expensive areas. Also, specific elements in the GP pay system recognise the additional costs of providing family doctor services in rural areas. Chief among them are the rural practice payment schemes. There are other forms of assistance for rural GPs. Isolated single-handed doctors can benefit from an allowance that helps them meet the cost of employing a locum while they are on training courses, and there is also an allowance to help single-handed GPs to employ an associate doctor.

Community pharmacies are an equally important part of the NHS primary care network. Pharmacies do more than dispense medicines; they provide a source of easily accessible advice on a range of health and health care matters; they sell a range of over-the-counter medicines to help people self-medicate and look after their families; and they provide a source of expertise on prescription medicines, both for patients and for local prescribers.

There are nearly 9,800 NHS community pharmacies in England, a number that has stayed more or less steady for several years. Around 250 of those, including many in rural areas, take advantage of the essential small pharmacies scheme, which ensures a minimum level of NHS income for pharmacies that provide a valuable service but might not otherwise be viable.

General health service policy is that doctors prescribe medicines and pharmacists dispense them. Wherever possible, the aim is for patients to have the benefit of the expertise and services of doctors and pharmacists. As the hon. Member for Mid-Norfolk acknowledged, this has been true since the inception of the national health service.

However, in rural areas where a pharmacy would not be viable, GPs may be required or permitted to dispense. About 16 per cent. of all GPs in England—around half those in East Norfolk health authority—dispense to around 3.2 million patients between them. Naturally, dispensing doctors are mainly concentrated in rural or semi-rural health authority areas.

In general, GPs are allowed to dispense only to patients who live in rural areas and more than one mile from the nearest pharmacy. Therefore, if a pharmacy opens locally, GPs stop dispensing for some or all of their patients.

Pharmacies are not generally allowed to open in rural areas if the health authority is convinced that their doing so would prejudice the local provision of general medical services. This is commonly known as the prejudice test. Similarly, GPs cannot acquire new dispensing rights if that would prejudice existing NHS pharmacy services. The aim is to make sure that changes in dispensing do not destabilise existing, necessary patient services. In both cases, where applications are granted, the health authority can impose transitional arrangements, requiring GPs gradually to increase or reduce the number of their dispensing patients. The regulations are designed to ensure that these important decisions are taken openly and fairly.

Often, the health authority will hold a full oral hearing to ensure that the parties have a chance to make their case. The rules ensure that no one directly involved in either GP or pharmacy services can take part in the decision. There are appeals at each stage to the Family Health Services Appeals Authority, which acts on behalf of the Secretary of State.

The number of applications with which English health authorities deal under the pharmaceutical services regulations fluctuates but, in the six months to September 1998, 720 applications were received—an average of about seven per health authority. More than half were for minor relocations or change of ownership; only 61 related to rural areas.

Health authorities consider applications within the framework of the regulations, which are intended to ensure that, where possible, communities benefit from both GP and pharmacy services. In doing so, they are required to take account of all relevant factors, and to consult local community health councils, as well as local GPs, pharmacists and their representatives. Community health councils represent the interests of local patients.

As I said, local primary care is most comprehensive where communities can be served by family doctors and community pharmacists. Of course, there are some rural areas where a pharmacy may simply not be viable. In those cases, GPs provide a valuable extra service by dispensing medicines themselves. That is a service that we greatly appreciate, and for which additional fees and allowances are paid.

Dispensing by GPs is essential if people in sparsely populated rural areas are to be able to get their medicines without difficulty. I am sure that dispensing doctors take very seriously the extra responsibility that that carries, and I know that their services are generally much appreciated by their patients. However, dispensing by doctors rather than pharmacists is, and has always been, a pragmatic response to the special circumstances of rural areas. It has not been promoted as an equal and rival model of pharmaceutical services.

When a new pharmacy opens in a rural area, the effect is to widen the professional expertise available to the local community, but I recognise that decisions about the opening of new pharmacies in areas currently served by dispensing doctors can become the source of great local controversy.

As I explained, decisions on individual applications are made by health authorities in accordance with regulations and after consultation with various local interests. On appeal, applications are decided by the Family Health Services Appeals Authority.

Mr. Robert Jackson: That was a particularly difficult issue for my constituents at Shrivenham, who felt that the appeal procedure was extremely remote and inaccessible and did not pay sufficient attention to them. Will the Minister comment on that?

Mr. Denham: The hon. Gentleman will understand that I am not familiar with that particular case. The system is designed to ensure, by virtue of the range of bodies and organisations consulted—including community health councils—that patients' views are adequately heard. If the hon. Gentleman would like to draw to my attention elements of his own local experience, perhaps by letter, I should be more than happy to look into the way in which the system operates. However, it would be going too far today to anticipate any possible changes.

In general, I must say that it is a great shame that disputes over dispensing rights too often become bitter and pit professionals against each other, when we want them to co-operate for the benefit of patients. I know that there are people who feel that disputes are in part caused by deficiencies in the existing regulations.

Pharmacists, for example, often say that they do not understand why the regulations can lead to GP practices in the centre of small towns operating a dispensary in competition—as they see it—with a nearby pharmacy. They point out that that pharmacy might even be located next door to the surgery. I am told that that is generally known as the market towns issue.

On the other hand, GPs have asked why different rules apply when a pharmacy already operating in a health authority's area applies to open a new branch in a rural area. In particular, they have asked why, in such cases, pharmacy applicants do not have to pass the so-called prejudice test.

I know of no evidence that suggests that the rules operate in a way that prevents patients from getting access to the medicines that they need. Indeed, the regulations are designed precisely to ensure that change is managed in a sensible way, without putting necessary services at risk. I agree, however, that it would be desirable if improvements could be made so that there are fewer disputes in future. Reducing the number of disputes can only be good news for patients.

However, the House will understand that, like many Ministers before me, I am reluctant to appear to intervene on one side or the other in the debate over the minute detail of rural dispensing rules. That reluctance stems from a fear of stirring up yet more wasteful dispute. I say "wasteful", because the long and sometimes bitter history of dispute between the professions over this issue can have done nothing to promote the climate of co-operation and collaboration that is necessary if primary care services are to deliver the best for their patients.

My predecessors have said to both professions that we will consider sympathetically any joint proposals that they bring to us for tidying up the regulations—provided, of course, that any changes proposed are in patients' best interests. I am happy to repeat that offer today.

Indeed, I believe that, over the past year or so, there have been increasingly encouraging signs that the leaders of the two professions are beginning to work more closely together on many issues. I am told that, in the East Norfolk health authority area, relations between the professions are generally close and fruitful. Members of both professions have been involved in the development of a successful local health care guide, as part of the

[Mr. Denham]

health authority's charter mark winning commitment to providing people with high-quality information about local NHS services.

Good relations between the professions are very much to be welcomed. Partnership is one of the four key themes in our vision for a new, modern and dependable national health service. It underpins excellence, efficiency and performance. We took office determined to get rid of the divisiveness of the old national health service and its internal market. Collaboration, not competition, is the key to improving patient care. By implementing our vision of the new national health service, we are breaking down barriers that artificially divide those who need to work together for the health and well-being of local communities.

The national health service, local authorities and local communities are now discussing the first health improvement programmes—real strategies for local health. Our programme will improve services throughout the country, for people living in rural areas as much as those in towns and cities. By the year 2000, everyone in England will have access to the NHS Direct 24-hour nurse advice line. In hospital, all people with suspected cancer will be able to see a specialist within two weeks of their GPs deciding that they need to be seen urgently. That target will be achieved by April 1999 for suspected breast cancer, and by 2000 for other cancers.

We have backed up our ambitious programme with the biggest-ever increase in resources for the national health service—an average of 4.5 per cent. over the next three years. Our vision extends equally to community pharmacy. My right hon. Friend the Secretary of State for Health has said that he will be publishing a strategy document on ways of exploiting more fully the potential for community pharmacy to contribute to better care, close to people's homes.

That strategy document, like our entire vision for the national health service, will be about harnessing individuals' skills within a context of ever-greater co-operation and shared endeavour. That, surely, is where we should be focusing our energies. Division and dispute belong to the old NHS.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

CABINET OFFICE

The Minister was asked—

On-line Government Services

1. **Mr. John Healey** (Wentworth): If he will make a statement on progress towards meeting the target of making 25 per cent. of government services available on-line by 2001. [68643]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): We intend to publish information about departmental performance every six months, beginning in May 1999. Last year, we set a target for 25 per cent. of services to be electronically deliverable by 2002.

Mr. Healey: I thank my hon. Friend for that answer and the encouraging news of future publication of departmental performance. Does he acknowledge that many services that people use are delivered by local government and local national health service facilities, rather than directly by central Government agencies? What targets have he and his ministerial colleagues agreed on the contribution that local government and the NHS can make to the achievement of on-line Government services?

Mr. Kilfoyle: We are looking at targets at the moment. The next list will not be available until May, although we recognise in our target expectation that the vast majority of services are provided not by central Government agencies, but by local authorities and the NHS. The strategy for dealing with those will be published in the spring in the White Paper on better government.

Government (Modernisation)

2. **Dr. Tony Wright** (Cannock Chase): When he expects to publish the White Paper on the modernisation of government. [68644]

6. **Mr. Christopher Chope** (Christchurch): If he will report on progress in preparing the better government White Paper. [68649]

The Minister for the Cabinet Office (Dr. Jack Cunningham): We will publish a White Paper in the spring, setting out our proposals for more strategic policy making and simpler, more effective and responsive public services.

Dr. Wright: I am grateful to my right hon. Friend for that answer. Modernisation is the hallmark of this Government, and must apply to all government. That means that people should have access to public services that they find easy to use, that operate efficiently and which put things right quickly when they go wrong. Will he assure the House that the forthcoming White Paper will deliver that?

Dr. Cunningham: Yes, I can. My hon. Friend is absolutely right. The three aims that he has mentioned will be the objectives of our White Paper.

Mr. Chope: Is not the better government White Paper just another of this Government's public relations stunts? Are not public services declining? If that is not true, why have the Government just published a 60-page document entitled, "Public Relations Toolkit for Employers", which invites small businesses to give third-party endorsement to failed Government policies? How much did that document cost? When will the Government follow the advice given on page 17—it will interest you, Madam Speaker—to "Answer the question succinctly", and "don't be evasive"?

Dr. Cunningham: After such a long, rambling and incoherent question, the hon. Gentleman is the last one to talk about stunts. He knows all about them. I have no doubt that all the users of the national health service, in which we intend to invest £21 billion extra, and all the users of the education service, in which we will invest £19 billion extra, will note his disparaging remarks about public services.

Ms Margaret Moran (Luton, South): On the publication of the White Paper on modernisation of government, will my right hon. Friend ensure that we encourage service users to take the opportunities offered by new technology to provide regular feedback, so that we can measure the improving quality of public services? Such improvement is a clear objective of the Government, and one on which the previous Administration were a dire failure.

Dr. Cunningham: I pay tribute to my hon. Friend's pioneering work in that connection when she was leader of Lewisham borough council. We shall set ourselves a target of delivering 25 per cent. of Government services through information technology by 2002. We want those services to be available not only easily but, where possible, 24 hours a day, seven days a week.

Sir Patrick Cormack (South Staffordshire): I notice that, by grouping the questions, the right hon. Gentleman is equating modern with better, but is it either modern or better for a Government to treat a Select Committee of the House as disdainfully as the Government have in the past 24 hours? What place do parliamentary democracy and the work of our Select Committees have in the right hon. Gentleman's ideal of modern government?

Dr. Cunningham: I have always, personally, had a very high regard for the Select Committees of the House. I was a member of a Select Committee of the House for six years, and in roughly one year as Minister of Agriculture, Fisheries and Food I agreed to appear before the Select Committee on Agriculture four times. My appearance on the fourth occasion was obviated by my appointment to my present responsibilities.

We should pay very high regard to the work of Select Committees of the House and their reports, but that does not mean that we should conclude that Governments are always bound to agree with them.

Social Exclusion Unit

3. **Mr. Robin Corbett** (Birmingham, Erdington): If he will list the main priorities of the social exclusion unit for the current year. [68645]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The unit will continue to lead the co-ordination of policy development across Whitehall on neighbourhood renewal. It will produce two new reports to my right hon. Friend the Prime Minister on teenage parents and on 16 to 18-year-olds who are not in education, employment or training.

Mr. Corbett: I thank my right hon. Friend for that reply. I welcome and encourage the work that the unit is doing on truancy and school exclusion, and now with teenage parents. The efforts of thousands of my constituents to rebuild their lives, homes and community through the Castle Vale housing action trust are being harmed by the activities of a handful of eight to 14-year-old youngsters who feel socially excluded. Will my right hon. Friend endorse the efforts of the trust, Castle Vale school, the police and community groups to work together to offer those young people better hope for their lives, in a great city where they are lucky to live?

Dr. Cunningham: Yes, I will endorse that work. My hon. Friend's comments about the work of the social exclusion unit will be widely welcomed by the people who work for it. It is worth pointing out to the House that, as a result of their work, the Government have provided an extra £1.8 billion so far, targeted at schemes that featured in the unit's report, including those such as sure start, which is aimed at helping children who face the very risks that my hon. Friend has just described.

Mrs. Virginia Bottomley (South-West Surrey): Will the right hon. Gentleman agree that Home Start is one of the most effective and sensitive of the voluntary organisations which are helping to tackle social exclusion? Will he ask the social exclusion unit expressly to examine the difficulties in Farncombe, in Godalming? Is it his Government's view that disadvantage, isolation and deprivation do not occur in relatively prosperous counties? Such is the effect of the spending decisions on Surrey's health and social services that it is inconceivable that money will be found to start any new projects; indeed, the small amount of joint finance funding already available will have to be withdrawn. Will the right hon. Gentleman expressly ask the social exclusion unit to study what is happening in the home counties and the suffering experienced there?

Dr. Cunningham: First, I pay tribute to the work that the right hon. Lady has always done in the voluntary sector through her long and effective association with voluntary work. I cannot comment on the organisation that she mentioned, but I am sure that it is, as she says, worthy of support. As for the social exclusion unit considering specific difficulties rather than general issues, that is not really within its remit, but I undertake to look carefully at what the right hon. Lady has said and to see how I can draw that to the attention of my appropriate right hon. Friends.

Mr. Gareth R. Thomas (Harrow, West): Does my right hon. Friend agree that a key role for the social exclusion unit must be to continue to develop policies across government that support social entrepreneurs, the people who provide the drive behind credit unions, community businesses and other forms of social enterprise? Will my right hon. Friend further encourage the social exclusion unit to promote more partnerships between mainstream banks and social enterprises to bring the hard-headed financial skills of the private sector to our work on neighbourhood renewal?

Dr. Cunningham: Although my hon. Friend makes an important point, it is not currently within the work programme of the social exclusion unit. However, he is right to draw attention to the important work of credit unions and co-operative organisations. Again, I shall draw his comments to the attention of my right hon. Friend the Secretary of State for Trade and Industry, who has responsibility for such matters.

Annual Government Report

4. **Mr. Simon Hughes** (Southwark, North and Bermondsey): Who will be responsible for the preparation of this year's annual Government report. [68646]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): Civil servants.

Mr. Hughes: That is the answer that I expected.

Given that Alastair Campbell and his colleagues in the Downing street communications unit are classed as civil servants, does not the Minister accept that if the Government's annual report—a concept that is welcome—is to have any objective credibility, it should be compiled by the National Audit Office or an independent statistical office, and not by Government spin doctors?

Mr. Kilfoyle: According to the hon. Gentleman's own words, civil servants wrote last year's annual report. Civil servants will continue to write the annual report, which is a first. It is the first time that a Government have set out what they have done, why they have done it and what they intend to do. Incidentally, it is the first time that a Government have pointed out where they have made mistakes. We have informed people at all levels and we shall continue to do so. I very much look forward to the next publication in July.

Mr. Dennis Skinner (Bolsover): When Liberal Democrat Members are trotting up Whitehall and going through the big gates into Downing street more often than any of us Labour Back Benchers, will my hon. Friend explain why is it that those ragtag and bobtails cannot get the information while they are stuck in there, instead of wasting the time of the House?

Mr. Kilfoyle: As my hon. Friend knows, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) is one of those at odds with the approach that his leader has taken. Perhaps they are not speaking to each other on these matters.

Sir George Young (North-West Hampshire): If we are to have another annual report produced at taxpayers' expense, may we have an assurance that, unlike last year's report, the Government will not airbrush out of it any reference to any inconvenient events? May we have an assurance that in next year's annual report there will be references to the recession in manufacturing, to the decline in agricultural incomes, to the raid on pension funds, to council tax increases four times the rate of inflation and, of course, to the Sierra Leone fiasco?

Mr. Kilfoyle: I hate to say so, but the right hon. Gentleman is factually incorrect. For example, last year's annual report referred to the mistake that was made on lone-parent benefits—the Government were big enough and brave enough to own up to it. The next annual report will record the Government's many successes, including the 169 Labour party manifesto commitments, which have, to date, been implemented in part or in whole.

Biotechnology and Genetic Modification Ministerial Group

5. **Mr. Tam Dalyell** (Linlithgow): If he will make a statement on the membership, work and progress of the ministerial group on biotechnology and genetic modification. [68647]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The ministerial group oversees all aspects of biotechnology policy. It is made up of Ministers from all Departments with an interest in biotechnology. One of its first decisions was to begin an examination of the United Kingdom framework for overseeing the technology.

Mr. Dalyell: As a well-qualified chemist, and in my right hon. Friend's official capacity, can he do anything to dispel the ignorant hysteria that often surrounds genetic modification?

Dr. Cunningham: The UK is a world leader in biotechnology, which has huge potential to benefit society by delivering improvements to health, agriculture, food production and to the environment. However, it must do so in ways that gain public trust and confidence. The Government's primary duty is to protect people and the environment. As my hon. Friend rightly says, while it is right for the media and others to probe and challenge and to examine what is happening, they should take care not to alarm or mislead people unnecessarily. It is important that we make clear to everyone that the decisions that we take are based on the best available medical, scientific and industrial advice. I would be the last to complain about criticism from the media, but it is important that we do not undermine public confidence in the potential of biotechnology to bring huge benefits to humankind.

Mr. Paul Tyler (North Cornwall): In accord with the Minister's comments, I acknowledge that the ministerial group has a considerable work load because of the huge backlog left as a result of the previous Government's inadequate attention to those important issues, despite the efforts of Liberal Democrat Members. May I ask particularly that the ministerial group should examine carefully the work of the Rowett research institute in Aberdeen, which has reviewed the results of the research undertaken last year into the impact of genetically modified food on the immune systems of rats and by definition, therefore, on humans? That research is obviously extremely important and is funded by the Government.

Dr. Cunningham: I can assure the hon. Gentleman and the House that the Government understand and act on genuine concerns expressed by the public and by hon. Members. I assure him also that we examine all the available scientific evidence. For those reasons, the Government have taken action on food labelling, for example. We shall shortly publish decisions following consultation with the catering industry. We have taken action to set up an advisory committee on animal feedstuffs. We have set up a Cabinet Committee, as I said, to examine all those matters. We are pressing in Europe for better control in all those areas. None of that was done by the Conservatives when they were in government.

As we have been speaking about misleading and irresponsible statements, may I say that nothing was more misleading or irresponsible than the Leader of the Opposition saying last week in the House that English Nature had called for a moratorium on these matters? It certainly has not done so. English Nature recognises that it is important to carry out the experimental trials on genetically modified crops, so that we can make a proper scientific assessment of their impact on the environment.

Joan Ruddock (Lewisham, Deptford): In its further deliberations on biotechnology and genetic engineering, will my right hon. Friend invite the ministerial group to consider the difference between the application to medical science, where the patient who is carrying the risk hopes to be the beneficiary, and the application to crop production, where the risks are carried by the environment and the public, and those who hope to reap all the benefits are the producers?

Dr. Cunningham: I can tell my hon. Friend that we already do so. For that among other reasons, I made it clear to the House today that we not only listen to but act on the advice of organisations such as English Nature and the Advisory Committee on Releases to the Environment. We study their recommendations carefully. I can tell my hon. Friend and the House that both those organisations believe that it is right and safe for controlled trials of genetically modified crops to take place, precisely so that we can evaluate their impact on the environment before commercial exploitation would be allowed.

Mr. James Gray (North Wiltshire): All interested observers agree with the Minister; the last thing that we want is public concern on such matters. Nevertheless, my right hon. Friend the Leader of the Opposition last week called for a moratorium, on good advice from English Nature in its written evidence to the House of Lords Committee that is looking into those matters. We simply do not know what effect genetically modified foods will have on human health. Therefore all we want is a three-year moratorium on their commercial use, so that we can find out what the scientific evidence is.

Dr. Cunningham: The hon. Gentleman repeats the error of interpretation of English Nature's position. I have a letter from English Nature, which states:

> "English Nature is not against genetic modification per se and always gives advice based on sound science. Contrary to what has been reported, we are not asking for a moratorium on commercial release of all genetically modified crops."

The Opposition may be calling for that, irresponsibly, and damaging Britain's prospects, but they are totally misleading in saying that English Nature supports that call.

Dr. Phyllis Starkey (Milton Keynes, South-West): A great deal of the public debate about the risks of GM foods and crops is made more difficult by the complexity of the scientific research which underpins it. An example would be the research at the Rowett research institute, which does not pertain to the risks of GM foods in general but of particular lectins included in GM foods. What is the ministerial group doing to enable the public better to understand the complexity of the science which underpins biotechnology, so that the public debate generates rather more light and considerably less heat? Will my right hon. Friend make that information available to the Leader of the Opposition, who clearly needs a scientific education?

Dr. Cunningham: If the Leader of the Opposition continues to take advice from the Opposition spokesman on agriculture, it is no wonder that he is in a mess, as he is on many other things.

My hon. Friend raises an important point. The ministerial group has been considering exactly the kind of strategy that she says we should, so that we can put the facts dispassionately before the British people. In addition, my noble Friend the Minister for Science is carrying out a public consultation on public attitudes to and understanding of bioscience, so that we know exactly people's fears and concerns and are better informed about how to deal with them.

Better Government (Older People)

7. **Mr. David Amess** (Southend, West): What recent representations he has received on the better government initiative for older people. [68650]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): There is a great deal of interest in this important part of our modernising government programme. Next month we will be setting up a learning network so that many more local authorities across the United Kingdom can share learning and experience on improving services. Well over 200 authorities, including that of the hon. Gentleman, have already expressed an interest.

Mr. Amess: Will the hon. Gentleman accept my deep disappointment that my constituency was not chosen for the pilot scheme, given that a huge number of elderly people in Southend, West are suffering from the Government's failure to address the bed-blocking crisis there, and the fact that they are struggling on their pensions? How on earth does the Minister expect anyone to take as genuine the Government's concern for elderly people when, of a Government of 119, only 11 of those who sit in the Commons are over 55?

Mr. Kilfoyle: Where does one begin? We have put £21 billion into the health service; we have established a royal commission on long-term care; and two of the 11 to whom the hon. Gentleman refers are right here on the Front Bench. The point of the better government initiative for older people is that it looks holistically at the needs of older people, of which there are many, including recreational needs and law and order concerns. Some of our pilot schemes involve them in lifelong learning projects. They do not give up the ghost as simply as some hon. Members seem to think. That is the way in which we enable, empower and involve older people in our communities, and that is to be applauded.

Ms Linda Perham (Ilford, North): When considering the representations on better government for older people, will my hon. Friend say something about the work of the performance and innovation unit on active aging in the Cabinet Office, and confirm that, in our one and three quarter years in office we have done more for older people than the Conservative Government did in 18 years?

Mr. Kilfoyle: The performance and innovation unit is yet another—forgive the play on words—innovation of this Government, which will consider a variety of areas, including active aging, in the longer term. Active aging is very much at the forefront of our thinking in the better government pilots.

Mr. Nicholas Soames (Mid-Sussex): Will the hon. Gentleman accept that the words "better government initiative" ring hollow in West Sussex where the Government grant has been so dramatically cut that many vital services for old people are having to be reviewed? How does that square with a better government initiative directed towards the interests of old people?

Mr. Kilfoyle: The better government for older people initiative is a series of pilots. I am not aware whether West Sussex is one of the pilot areas, but 28 schemes embrace the whole country. They are not intended to provide an instant answer to the problems of every area, but they will disseminate good practice through the learning network which is being set up. As I said in my initial answer, more than 200 local authorities think that the initiative is worth while in spreading good practice in catering for the needs of older citizens.

Drugs

8. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on his new targets to encourage closer co-operation between Government Departments to tackle drugs problems. [68651]

9. **Mr. Clive Efford** (Eltham): If he will make a statement on the co-ordination of Government initiatives against drugs. [68652]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The Government's 10-year strategy has four key targets: reducing young people's drug misuse, reducing drug-related offending, increasing participation in drug treatment programmes and reducing access to drugs among young people. Under a public service agreement, all relevant Secretaries of State, and their agencies, are committed to working together to achieve those shared targets.

Mr. Chapman: Is my right hon. Friend aware that police in Wirral believe that considerable progress is being made as a result of that interdepartmental, multi-agency work? The police are concerned, however, that substances such as GHB are increasingly used by young people but, because such substances are not formally regarded as dangerous drugs, those youngsters are not caught by that activity. Will he take note of the views of Wirral police and consider them when those matters are next reviewed?

Dr. Cunningham: Yes, I will. This is where it is helpful to be an organic chemist: gamma hydroxy butyrate—the substance to which my hon. Friend refers—can cause damage to people and is not licensed for use in the United Kingdom as a drug; nor is it covered by United Nations drug conventions. We are aware that there is a small problem in some areas, which we keep under careful scrutiny. We are working with the Medicines Control Agency and others to ensure that this problem does not grow and get out of hand.

Mr. Efford: May I draw my right hon. Friend's attention to the concern in many communities about certain addresses that are clearly used for the sale of drugs, but which are not subject to checks by the relevant agencies? Although I appreciate that it takes time to investigate such matters, and that surveillance is often taking place, will he stress to those agencies that swift action often presents a better face to the community than letting such problems drift.

Dr. Cunningham: Operational matters in connection with investigations into the abuse or illegal sale of drugs are not matters in which Ministers intervene, but if my hon. Friend has a particular problem in his constituency, and if he lets us know about it, we will certainly draw it to the attention of the appropriate authorities.

Mrs. Ann Winterton (Congleton): Will the Minister confirm that the Home Secretary—perhaps he could ask him—has recently written to chief constables, informing them that, in future, 1 per cent. of police budgets can be used for drug treatment purposes? Will the Minister have a word with his right hon. Friend to make certain that precious police resources are not siphoned from law enforcement, so that decent law-abiding people do not have their lives further blighted by drug-related crime and by the unsavoury activities of drug pushers and dealers?

Dr. Cunningham: My right hon. Friend is present and has heard what the hon. Lady says, but let me point out that, as recently as last autumn, we allocated an additional £217 million for use by drug action teams to add force and resources to the excellent work that they are doing in conjunction with the police and other authorities.

Mr. Nigel Evans (Ribble Valley): One of the Departments earmarked by the drugs tsar, Keith Hellawell, was the Department for Education and Employment. What will the Minister do to ensure that proper resources are directed towards teachers, headmasters and those who work in schools to ensure that young children get the required message, which is that drugs are dangerous?

Dr. Cunningham: The hon. Gentleman raises a very important point: it is essential that we get advice and information to schools—teachers and pupils—about the danger posed to them by the misuse of drugs. The Department for Education and Employment was included in the overall package relating to drugs and will certainly gain additional resources, as I said in my reply to the hon. Member for Congleton (Mrs. Winterton) a few moments ago.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [68672] **Mr. David Stewart** (Inverness, East, Nairn and Lochaber): If he will list his official engagements for Wednesday 10 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today.

Mr. Stewart: My right hon. Friend will be well aware of the importance of land reform in Scotland, from the historic struggles of the Highland Land League to reform crofting laws, to difficulties that the Knoydart Foundation is having in my constituency, where it is attempting to run its own 17,000-acre estate. Does he agree that land reform should be one of the essential high priorities in the new Scottish Parliament, and that the Scottish Parliament does not want separation and dislocation?

The Prime Minister: I know that the Scottish Labour party's proposals on land reform have been widely welcomed. As my hon. Friend knows, I was delighted that, last week, we flushed out the Scottish National party's proposals for starting independence negotiations literally the day after any success that it may have in the Scottish Parliament elections. People now know that there is a clear choice between devolution and the costs of divorce.

Mr. William Hague (Richmond, Yorks): When the Foreign Affairs Committee describes the workings of the Foreign Office as being like an episode of "Yes, Minister", and the Labour Chairman of the Committee—[HON. MEMBERS: "Oh!"] Oh yes, he is sitting on the Labour Benches—says that that great Department of state is being turned from the Rolls-Royce of Whitehall into an old banger, whom are we to hold responsible?

The Prime Minister: I do not accept that that is the case. We shall respond carefully to the Select Committee's recommendations, as I said yesterday.

Having studied the report in great detail, I think that the Committee's criticisms of the civil servants were disproportionate and unfair.

Mr. Hague: The Prime Minister says that he will respond carefully, but the Government were dismissing the report before it had even been published yesterday. The Prime Minister was saying that Ministers should be exonerated before the report had even been published. The answer is that no one will take responsibility. The report describes failures at every level of the Foreign Office, including Ministers dealing in half-truths. It describes how Ministers were unaware of a Customs raid on their Department for three weeks. It says that many of the problems would not have occurred had Ministers explained their policies to their officials. If the Foreign Secretary, not civil servants, is not to be held responsible for the condition of the Foreign Office, who is?

The Prime Minister: As I have explained, I do not accept that. All the facts to which the Select Committee drew attention had already been covered by the Legg inquiry. The allegations, most ridiculously made by the former Home Secretary, who is now the shadow Foreign Secretary, were dismissed by that inquiry. As I said yesterday, we shall of course respond to the detailed points that the Foreign Affairs Committee has made, but I think that its criticism of civil servants is unfair, because it puts in the context of today, with all the focus on the breach of the arms embargo, events that happened months and months ago when the context was completely different. In those circumstances, the report's criticisms of civil servants were disproportionate and unfair. As civil servants cannot reply, I shall reply for them.

Mr. Hague: The Prime Minister has clearly not studied the report carefully. He said that everything in it was covered by the Legg report, but paragraph 72 of the Select Committee report says:

> "One aspect of the Sandline affair which has worried us is the way in which intelligence information received from the Ministry of Defence was treated with . . . cavalier disregard by the FCO . . . It is also extraordinary that Sir Thomas Legg . . . were misinformed. If they were misinformed about this, then is it . . . not impossible that they were misinformed in other areas?"

Is this not a story of incompetence, half-truths, secrecy and contempt for Parliament, for which the Foreign Secretary and the Prime Minister are responsible? It is not a happy situation for the world's top moral and spiritual leader to be presiding over that.

The report was produced by hon. Members from both sides of the House, who studied the issues at great length. Does the Prime Minister intend to take the report seriously, or to treat the House, its Committees and their reports with complete arrogance and contempt?

The Prime Minister: As I have already said and will repeat for the third time, we shall consider carefully the points that the Select Committee has made. I emphasise yet again that it did not find that Ministers had engaged in some great conspiracy to breach arms embargoes, and it did not find any of the Opposition's allegations correct. It launched serious and vehement criticisms of the behaviour of certain civil servants. I happen to think that those criticisms are unfair. *[Interruption.]* I am asked on what grounds. I shall tell the House on exactly what grounds they are unfair.

The criticisms of civil servants were directed at their conduct in the early months of 1998. At that point in time, the focus in the House was on how we could do more to help the democratically elected regime in Sierra Leone. When we had the debate in the House on 12 March last year, not a single member of the Foreign Affairs Select Committee spoke, and the Opposition Front-Bench Members demanded that we did even more to help the democratic regime in Sierra Leone.

All I am saying in respect of the civil servants is that it is important not to apply, with the benefit of hindsight, counsels of perfection and rules, when that is not fully justified if we take account of the context at the time.

Q2. [68673] **Mr. Andrew Miller** (Ellesmere Port and Neston): Does my right hon. Friend agree that many small firms should do more to meet the challenge of millennium compliance? Will he ensure that the Government make every effort to help them attain the standards being achieved by many larger corporations and by Government Departments?

The Prime Minister: Yes, and I thank my hon. Friend for his work in this area. The position of larger United Kingdom firms is encouraging, as almost all of them have made proper provision for dealing with the millennium bug. We have trained 11,000 people to help companies deal with the millennium bug, and we are training a further 10,000.

I give a warning to small and medium businesses in Britain. About 80 per cent. of them will be able to deal with the millennium bug, but a large proportion are not yet in a position to do so. They must ensure that their systems are in order for 2000. We will assist them by giving them free help and advice, but they must ensure that they are millennium compliant for 2000. Britain is now a leader, if not the leader, on this in the world. That will be no good if our small businesses do not follow the lead of larger companies and the public sector and ensure that they are millennium compliant for 2000.

Mr. Paddy Ashdown (Yeovil): Yesterday's report on Sandline was one of the most damning ever delivered on a Government Department. Is not the more serious issue the fact that, while the Government have been playing pass the parcel with the blame for this matter, in the past year the terrible tragedy in Sierra Leone has repeated itself? The rebels who were defeated by Sandline arms have now been re-armed, apparently with the assistance of another British company. Sierra Leone is again under assault, and thousands have been killed.

The lessons to be learned from the arms to Iraq scandal, Sandline and the unabated flood of weapons into every trouble spot in Africa are clear. Unless and until we establish a proper international regime for the control of arms, those scandals will not end—they will occur again and again. When will the Government support such a measure?

The Prime Minister: It is as a result of the Government's actions that we have tightened arrangements for arms sales both here and in the European Union.

I thought for a moment that, at long last, we were going to reach the real issue, which is not Sandline or even the Foreign Affairs Committee's report, but what we do about the situation in Sierra Leone. Whatever the Conservative party may say, I make no apology for the support and help that we have given the democratically elected regime in Sierra Leone. It is rightly fighting the rebels because, if the rebels were allowed to gain control, they would encourage destruction and death on a vast scale. This Government and this country, together with Nigeria, are doing all that they can to help that democratically elected regime. That, I suggest, is the real issue.

Mr. Ashdown: In that case, the Government have failed, because the rebels who were defeated have now been rearmed—again.

The Government say that they are in favour of an international regime for arms control. Good. Does the Prime Minister find it odd, though, that, less than two weeks ago, when the Germans in the European Council proposed that we publish the European report on arms sales, the Government declined to support them? Will he now give an undertaking that, when the Germans return on 18 March with a European code for arms brokers, the Government will support them this time?

The Prime Minister: First, let me correct the right hon. Gentleman: we have been leading the way on arms control in the European Union. Secondly, it is true that the rebels have been rearmed, but they have not been rearmed by this country; they have been rearmed by sources wholly outside this country. What is important, surely, is for us to focus on how we can help the democratically elected regime in Sierra Leone, and that is precisely what the Government are doing.

Q3. [68674] **Helen Jackson** (Sheffield, Hillsborough): Has the Prime Minister considered that all the enthusiasm for tax-exempt special savings accounts, new retirement pensions, stakeholder pensions and individual savings accounts is making our 10 million existing pensioners feel a bit left out in the cold? Perhaps they feel that their huge voluntary efforts in the community do not count enough. Will the Prime Minister find ways of combining initiatives from all Departments—not least the Treasury—to produce a programme that will give a significant boost to existing pensioners and the quality of their lives in Britain today?

The Prime Minister: We are giving substantial help to pensioners with the new stakeholder pension schemes, from which up to 5 million people can benefit, and with pension sharing on divorce. Moreover, for the first time, we are introducing a pension for carers. Nearly 10 million pensioners benefit from winter fuel payments, and there is a £2.5 billion programme to help the poorest pensioners over the next few years.

Yes, we always look for better ways of co-ordinating Government help; but it is this Government who are helping pensioners with their winter fuel, having cut the VAT on fuel that the last Government increased. We are also providing the poorest pensioners with the help that the last Government denied them for decades.

Q4. [68675] **Mr. Julian Brazier** (Canterbury): Does the Prime Minister believe that cutting the married couples allowance and now, perhaps, taxing child benefit are ways in which to tackle the country's spiralling divorce and illegitimacy rates? In the light of yesterday's ministerial admission that, under the working families tax credit, nearly everyone will be eligible for state-funded child-care payments provided that they are not the actual mother or father of the child concerned, may I ask the Prime Minister whether he sees any role for marriage in his new model family policy?

The Prime Minister: First, it was the last Government—with the hon. Gentleman's support—who cut the married couples allowance first. Secondly, I take it from what the hon. Gentleman said that he is against the help with child care that we are giving people. We are in favour of helping people with child care, because it is an important part of enabling them to raise their children—*[Interruption.]*

Madam Speaker: Order. I will not have barracking and shouting.

The Prime Minister: Helping with child care is an important part of enabling people to balance work and family responsibilities.

Thirdly, it is this Government who, from April, will make the largest increase in child benefit that the country has ever seen. Surely that is the way in which to help families.

Q5. [68676] **Mr. Fabian Hamilton** (Leeds, North-East): Does my right hon. Friend agree that crude league tables do not always tell the full story of a school's success, and that the notion of added value, which shows how staff are driving up standards in schools to improve educational quality, is just as valid? At Carr Manor high school in Moortown, Leeds, where recently a new library was opened, the head made it clear that it was reading books and developing literacy that were the keys to that added value, which can so substantially affect a child's future and improve it.

The Prime Minister: I congratulate all those at Carr Manor high school in my hon. Friend's constituency on the work that they are doing. Again, it is because of the extra money that we have given for school books—£1,000 for every school—and because of the stress on literacy and numeracy that yesterday's Ofsted results showed such improvement in our schools. Yes, there is still a long way to go, but yesterday's Ofsted report shows that, under this Government, significant improvement in all those areas of literacy and numeracy is finally taking [illegible]e.

Mr. William Hague (Richmond, Yorks): As the Chancellor is preparing the Budget for next month, will the Prime Minister tell the House by how much taxes have increased since he took office?

The Prime Minister: As the right hon. Gentleman knows, we have set out our proposals in the Budget, but he will be aware that business tax has come down under this Government. Of course, as a result of the national insurance cut, from this April, every worker in the country will get a tax cut.

Mr. Hague: It was a pretty straightforward question and there is a pretty straightforward answer, which is to add together the figures in the Red Books—the

Government's own books—on the last two Budgets. They show that the total tax increase for this financial year of the last two Budgets is £6,800 million, which is £260 for every taxpayer in the country in pension taxes, petrol taxes and mortgage taxes. The Prime Minister does not seem to be aware of it at all. I hope that he has not done his own self-assessment, or he will be in trouble. If he does not know the actual figure for tax increases, will he remind the House instead of the specific pledges that he made about the level of taxation at the last general election?

The Prime Minister: As the right hon. Gentleman knows, that is what we have kept to. We said that we would not raise the basic or higher rate of income tax. As for what he quotes out of the Red Book, he will be aware that the projections made by his Government before we took office were the same.

Mr. Hague: The columns in the Red Book are the changes from previous plans. If the Prime Minister does not know that, he had better have a good look at the Red Book, but he does not even know what he said at the last election. In September 1996, he said:

> "We've no plans to increase tax at all".

He said in the City in September 1996:

> "We want people to pay lower taxes".

He said on "The World At One" in January 1997:

> "the programme of the Labour Party does not imply any tax increases at all."

Now, he cannot remember those things. With a memory such as that, he could get a job in the Foreign Office any day. Is it not time that he started to live up to those promises and instructed the Chancellor to prepare a Budget that will meet them, instead of betraying them, as he has done twice before?

The Prime Minister: We have met all the promises that we made. We promised that we would cut VAT on fuel and we did. People remember the 22 tax rises under the right hon. Gentleman's Government, in breach of all their promises. However, what he is now saying is that it would be his policy to change all those issues, all those matters—that he would reverse them all. Would he? Of course, he would not. What we have done for the first time is to get rid of the huge national debt that was inherited from the Conservative party. The £28 billion borrowing has gone. We have the lowest mortgage rates for over 30 years. Employment is up 400,000. We have halved youth unemployment—and how have we done it? We have rejected the politics of boom and bust, in favour of a stable economy. *[Interruption.]* Oh yes! It is not the Government, but the Opposition who suffer from amnesia. We shall remind people at the next election that they can have boom or bust again under the Tories or stability under Labour.

Mr. Fraser Kemp (Houghton and Washington, East): Will the Prime Minister join me in welcoming the recent announcement by the Nissan motor company of 800 new jobs in my constituency, giving hope and opportunity to many of my constituents who have been denied them for too long?

The Prime Minister: I very much welcome that new investment. I also welcome the commitment to continuing inward investment in Britain. As my hon. Friend will know, we are setting stable conditions for industry so that we can come out of this downturn and prosper in future at the same time as tackling structural unemployment through the new deal. That is the best combination of policies for the future of the country.

Q6. [68677] **Mr. William Cash** (Stone): In December last year, I called on the Prime Minister to give the British people and the House a White Paper on the constitutional, economic and political implications of joining the single currency. He refused. Is he now aware that there is a early-day motion on the Order Paper signed by Labour Members, Liberal Democrats, Euro-sceptics and Europhiles on both sides of the House and by hon. Members representing the Ulster parties, calling on the Prime Minister to provide the British people with the truth about the constitutional, political and economic questions arising from the single currency? Will he now review the position set out in the White Paper?

The Prime Minister: I congratulate the hon. Gentleman on becoming a consensus politician after all these years. The position that we set out is the right one. Of course there should be a full and proper public debate, and we look forward to being part of that debate. Whether or not his Front Bench would wish it, I am sure that the hon. Gentleman will also be part of that debate, but it should cover the whole range of issues in respect of monetary union. Frankly, we can have that debate without White Papers, but it should be based around the facts. However, the hon. Gentleman, and very many now—it is probably the majority position in the Conservative party—have set themselves against monetary union irrespective of the arguments and before the debate has even taken place. I believe that that is wrong and contrary to the best interests of the country.

Mr. Michael Connarty (Falkirk, East): Does my right hon. Friend understand the sense of betrayal among the work force at BP in Grangemouth who, having taken large numbers of job losses and redundancies to reach world-class status and attract substantial investment, have been told today that they are likely to face another 450-plus redundancies? Will he ensure that Scottish Office Ministers get round the table with me and the management of BP to ensure that, where jobs are being outsourced and put out to contract, they remain in the Scottish economy for the benefit of the stakeholders who share in the future of that industry?

The Prime Minister: I am sure that there will be discussions between my hon. Friend and the Ministers concerned. The oil industry is in difficulty as a result of the price of oil having dropped quite dramatically. My hon. Friend will know, however, that BP has made it clear that the investment that it announced late last year to create new jobs has not been put at risk by today's announcement. Obviously, we sympathise very much with the jobs that are now at risk and we shall do whatever we can to help, but it is good to know that BP has reiterated its commitment to continuing and further investment in the oil industry in Scotland.

Q7. [68678] **Mr. Paul Burstow** (Sutton and Cheam): Is the Prime Minister aware that the cost of a first-class postage stamp is greater than the extra 25p a week—just 25p a week—for older pensioners? Is it not about time that the Government gave a first-class pension to pensioners?

The Prime Minister: Of course it is important to do that. It is important also that, when we have proposals from the Liberal Democrats, they are costed proposals.

Mr. Paul Keetch (Hereford): They are.

The Prime Minister: I very much doubt that, based on experience. Regardless, let me not criticise the Liberal Democrats. I should, however, point out to the hon. Member for Sutton and Cheam (Mr. Burstow) that, although he talks about 25p per week, our introduction of the minimum income guarantee for pensioners will ensure that a single pensioner will receive at least £75 per week, and that a couple will receive at least £116 per week. When we add on top of that help with winter fuel bills, we are giving at least the poorest pensioners in our society considerably more help than he admits.

Mr. Phil Hope (Corby): Is my right hon. Friend aware that some temporary workers in my Corby constituency experience awful exploitation at the hands of employment agencies, and face penalty clauses of £1 an hour if they fail to complete a contract? Will he ensure me that the Employment Relations Bill will, after it becomes an Act of Parliament, enable a root-and-branch overhaul of the regulations governing those employment agencies, so that we can have fairness for every individual in the workplace?

The Prime Minister: I am sure that my right hon. Friend has listened to the points that my hon. Friend has made. Fairness at work cannot deal with all the difficulties that people face at the workplace. However, it will mean that, for the first time, people will have basic rights that have been denied to them in the United Kingdom but are simply the rights taken for granted around the world. From what was said in last night's debate, we now know that Conservative Members would, if they were elected to power, get rid of the minimum wage, get rid of the family-friendly provisions in the fairness at work Bill, and get rid of the basic trade union rights that everyone else in the world takes for granted.

Q8. [68679] **Mr. Philip Hammond** (Runnymede and Weybridge): Does the Prime Minister agree with the view that wealth creation is more important than wealth redistribution?

The Prime Minister: I think that both are extremely important.

Dr. George Turner (North-West Norfolk): My right hon. Friend will be well aware that, in the next few months, consultation exercises will be launched across the country to examine the implications for localities of the Crime and Disorder Act 1998. Will he join me in welcoming the enthusiasm with which many of the partners have entered into the work that they have to do? This morning, I was at the launch in King's Lynn of consultations between West Norfolk borough council, Norfolk county council and the Norfolk police. Does my right hon. Friend agree that the most important partnership will be between those who serve the community and the community itself? Will he join me in encouraging the public to have their voices heard during both the audit and the development of the crime and disorder strategies that their communities need?

The Prime Minister: I urge the public to get involved in the consultations on crime strategies in their area. Over the next three years, £250 million extra will be going into crime prevention. The new crime and disorder legislation will allow us to deal with violent and unruly neighbours who are making people's lives hell in estates across the country. I urge people to use the powers, which are available and can make a big difference to the safety and security of our communities. People should know that they have a responsibility to behave properly towards the area in which they live.

Young People (Oxfordshire)

Q9. [68680] **Dr. Evan Harris.** (Oxford, West and Abingdon): What estimate he has made of the effect of the 1999–2000 standard spending assessment settlement for children's social services on vulnerable young people in Oxfordshire.

The Prime Minister: The standard spending assessment for Oxfordshire will increase by 3.8 per cent. next year. If the authority's action plan is approved, Oxford will also receive an additional £586,000 for children's services, through the new quality protects grant. That far-reaching programme of action will improve all local authority children's services and is backed up by £375 million of targeted extra money.

Dr. Harris: The Prime Minister should be aware that the 10 per cent. cut in the children's SSA from this year to next year, combined with a continuation of the crazy Tory capping rules, are forcing the county council to threaten to close resource centres for disabled children—such as Summerfield, in Abingdon, in my constituency. The Kidlington family centre also is under threat, and there is a threat to community hospitals in my constituency. What does the Prime Minister say to parents of disabled children who fought 18—no, 20—years of Tory cuts, only to see their services face the chop under a Labour Government? Can he justify paying for the political prioritisation of education by cutting services to the most vulnerable in our society?

The Prime Minister: Let me just correct the hon. Gentleman. Oxfordshire's spending on all services will increase by almost 4 per cent. It is correct that the new allocation formula gives a much higher weighting to the number of people on income support, and that that factor has affected Oxfordshire's settlement. However, the Oxfordshire SSA works out at £97 per child in the county. That is in line with the average for shire counties, and is more than for similar shire counties in the south, such as Buckinghamshire, where the figure is £87 per child, and Cambridgeshire, where the figure is £91 per child. I understand the difficulties that have been caused by changes in the way in which the SSA has been calculated for Oxfordshire, but it still comes out significantly ahead of many other shires.

Rod and Line Fishing

Q10. [68681] **Mr. Anthony Steen** (Totnes): What representations the Government have received from the pleasure boat industry regarding rod and line fishing.

The Prime Minister: We have received a number of representations from the pleasure boat industry regarding rod and line fishing—including, I understand, one from the hon. Gentleman himself.

Mr. Steen: Is the Prime Minister aware that, if he came out angling off the Devon coast, he would not catch one mackerel? The reason for that is simple. EU commercial industrial factory ships are taking all the mackerel, spraying chemicals on them, so that they cannot be identified, and then converting them into feed for European animals. Is he aware of that? Will he tell EU Ministers that fishing for mackerel in a conservation mackerel box has to stop?

The Prime Minister: I thank the hon. Gentleman for his invitation. He has issued so many invitations to me to come out on various boats with him in the past few weeks that I am beginning to get worried about us. To be frank, I was not aware of the particular problem to which he has just referred, but I will look into it carefully. I know that he is a strong critic of the common fisheries policy, and I know that there have been a lot of difficulties in its implementation. However, I still believe that we would make a great mistake if we withdrew from it or scrapped it. [HON. MEMBERS: "Rubbish."] Tory Front-Benchers say that that is rubbish. I think that our fishermen would lose an awful lot more if we withdrew from that policy.

The Minister for the Cabinet Office (Dr. Jack Cunningham): The Tories signed up to it.

The Prime Minister: As my right hon. Friend points out, it was actually signed by the Tory party in government. I will look carefully into the point raised by the hon. Member for Totnes (Mr. Steen) and be in touch with him about it.

Points of Order

3.30 pm

Ann Clwyd (Cynon Valley): On a point of order, Madam Speaker. You may recall—*[Interruption.]*

Madam Speaker: Order. I am sorry, but I cannot hear the hon. Lady. Will hon. Members leaving the Chamber please do so quietly? The conversations are far too loud.

Ann Clwyd: Thank you, Madam Speaker. You may recall that in the United States last week, damages of £65 million were granted against the author of a website which listed 200 doctors in the United States who carry out abortions. They were described as "baby butchers" and the damages were awarded because it was considered that the website amounted to death threats. I raise this matter in the House because three doctors on the list were murdered, and there were attempts to murder other doctors. There have been 39 bombings of abortion clinics and 99 acid attacks in recent years.

On a similar worldwide website—entitled "Christian pro-life against abortion and pro-choice murderers"—are listed 62 hon. Members of this House. The implication is that they are all pro-murder. Lawyers have advised me that the comments in which the information is included are defamatory. I would be grateful, in view of the implied threat, if you would investigate the matter.

Mrs. Alice Mahon (Halifax): Further to that point of order, Madam Speaker. These Christian fundamentalists, with their obsessive hatred of anybody who opposes their view, deliberately incite violence against individuals. Many of us, as Members of Parliament, have been threatened and intimidated, including the late and wonderful Jo Richardson. Given that the information is on a worldwide website, can you ensure that the British groups—supported by certain hon. Members—with links with US groups advocating murder and terrorism are properly investigated by the appropriate authorities?

Madam Speaker: The hon. Ladies seemed to imply that this may be a matter of privilege. If they think that, they should put the matter to me in writing. This is the first intimation that I have had of it. I will look into the matter, but if it is thought that there is privilege involved, I urge them to let me have the information in writing, so that I can investigate it properly.

BILL PRESENTED

WELFARE REFORM AND PENSIONS

Mr. Secretary Darling, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Blunkett, Mr. Secretary Dewar, Secretary Marjorie Mowlam, Mr. Secretary Michael, Mr. Stephen Timms, Mr. Andrew Smith, Mr. Geoffrey Hoon and Mr. Hugh Bayley, presented a Bill to make provision about pensions and social security; to make provision for reducing under-occupation of dwellings by housing benefit claimants; to authorise certain expenditure by the Secretary of State having responsibility for social security; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 44].

Poverty and Social Exclusion (National Strategy)

3.36 pm

Mr. David Drew (Stroud): I beg to move,

That leave be given to bring in a Bill to require the production and implementation of a comprehensive, participatory strategy for co-ordinated Government action to reduce and eliminate poverty and social exclusion in the United Kingdom.

In his Sheffield speech at the launch of the new deal, my right hon. Friend the Prime Minister set out the scale of the challenge that the Labour Government face to tackle poverty and social exclusion. He said:

> "we now face a task of reconstruction as intense as the one that faced the post-war Labour Government and that's why we need an anti-poverty strategy of the same ambition and breadth."

I am proud to say that much has been achieved already: the new deals for the young, lone parents and disabled people are already helping to get people back into jobs; the statutory national minimum wage will help to end the scandal of poverty pay; increased spending on education will help to prevent poverty; and the new deal for communities will help to regenerate not only bricks and mortar, but the life chances and opportunities of people living in some of the country's most deprived neighbourhoods.

In addition to all that, my right hon. Friend the Prime Minister has established the social exclusion unit, whose job is to focus on the multi-dimensional nature of poverty and to co-ordinate action across Government. That is an impressive record of achievement from which I do not want for one moment to detract. Indeed, many of us entered politics in the first place to tackle poverty and all its consequences.

Why, then, is there a need for the Bill? Primarily, it provides a framework in which the excellent start that the Government have made can be developed. It is not a framework that I have dreamt up, but one that was agreed at the 1995 world summit for social development in Copenhagen. One of the summit's towering achievements was to bring together Governments from the developing and the developed world to consider the issue of poverty globally. For the first time, the absolute poverty experienced in many developing countries and the relative poverty experienced in countries such as the United Kingdom were considered together. The poverty here may be less extreme than that in some other countries, but it is no less unacceptable or offensive.

At Copenhagen, the then Tory Government signed up to a programme of action that required the development of national strategies to combat poverty and social exclusion; unfortunately, they failed to produce such a strategy. If adopted, the approach agreed in Copenhagen and taken in the Bill would develop the Government's anti-poverty strategy in two key ways. First, the development of policies designed to combat poverty and social exclusion would be participatory. Participatory policy development means that all those with something to contribute to the process are included in it, and implies new forms of democracy to encourage active engagement and empower communities, which is something that the Government are already promoting in their proposals for improving local democracy. In this context, it means that people with direct experience of poverty and social exclusion are at the head of policy making.

[Mr. David Drew]

Participation does not mean consultation with or involving organisations and individuals who speak on behalf of those living with poverty and social exclusion. That may well be necessary, but real participation means taking seriously the proposition that the real experts are those who live daily with poverty and social exclusion. The barriers created by the complexities of the benefit system, the struggle to make ends meet on an extremely low income, the reality of exploitation in the workplace, the burden of crime or, indeed, the additional problems for those suffering from mental illness all go hand in hand with poverty in the United Kingdom.

The social exclusion unit has found to its cost how difficult real participation can be. Although it has made some attempt to include people experiencing poverty and social exclusion in its work, this has not really been a success. Tight deadlines, very short periods of consultation and a lack of resources have all acted against participation. What is needed is a national strategy to combat poverty and social exclusion, which includes participation from the outset. Participation should be not an add-on to discussion but a central force in that discussion. The Bill would require that, and it provides a framework in which it could take place.

Some hon. Members may argue that such participation is not possible. To them I would say that it may be difficult, but participatory policy work is already taking place. Every month, members of the UK Coalition Against Poverty encourage men and women who are experiencing poverty and social exclusion to take part in the meetings of the all-party parliamentary group on poverty. The ideas and knowledge that these experts bring is invaluable. They are resources that should not be pushed to the margin, but brought into the centre. With sufficient time and support, this small start could be extended to other aspects of policy making. The Bill would require that to happen.

The second key element of the Government's strategy for tackling poverty and social exclusion included in the Bill is the requirement to set time-bound and measurable targets. We live in an age of targets, and we know how effective they can be in galvanising action towards a particular goal. If we are serious about first reducing and then eliminating poverty and social exclusion in the UK—I believe that the Government are—why should we be afraid of targets? Let us demonstrate our commitment to this goal by saying openly, "This is what we want to achieve, and this is how we intend to achieve it."

In the Republic of Ireland, where a national anti-poverty strategy has been in place since 1997, targets have been set in a range of areas, including unemployment, income adequacy and educational disadvantage. The Bill would require the national strategy to combat poverty and social exclusion to include similar targets relevant to the UK.

A Government such as that now in office, for whom social justice is a primary political objective, have nothing to fear and everything to gain from publicly seeking ambitious targets. Indeed, the Government have already set themselves ambitious targets in various ways, whether in the reduction of class sizes or getting unemployed young people into work. In one of the first White Papers of this Parliament, the Government also set themselves ambitious targets for tackling poverty. In her White Paper entitled "Eliminating World Poverty: A Challenge for the 21st Century", my right hon. Friend the Secretary of State for International Development set out the following target: a reduction by one half of the proportion of people living in absolute poverty by 2015. It is a noble and important goal, but if we can set a target for tackling the poverty that blights the lives of our brothers and sisters overseas, surely we owe it to our brothers and sisters at home to do the same.

The setting of targets is, of course, a difficult matter. At worst, targets can be set so low that achieving them is meaningless; at best, they can be a powerful tool for change. Work on establishing common agreed indicators of poverty and social exclusion, such as that recently undertaken by the Joseph Rowntree Foundation, can be built on to provide targets against which performance can be measured.

It is essential, however, that targets for the reduction of poverty and social exclusion reflect the concerns and priorities of those directly affected. That is why the Bill includes the opportunity for people with direct experience of poverty and social exclusion to be involved in the setting of targets and then in monitoring and evaluating the progress made towards achieving them.

The Republic of Ireland is not the only EU country to have followed up the commitments made in Copenhagen. Last year, a law against exclusion was passed in France. That legislation is designed to help everyone to access and exercise their rights. For people experiencing poverty and social exclusion, the denial of rights that others take for granted is a daily fact of life.

As my right hon. Friend the Minister for Public Health has made clear, the right to a decent standard of health is a good starting point. The poorest members of society are ill more often and die sooner than their wealthier neighbours, so the national strategy to combat poverty and social exclusion required by the Bill would bring forward measures designed to ensure that the rights that poverty and social exclusion too often deny to many citizens are restored to them.

My own experience is based on 12 years as a councillor in the county of Gloucestershire. During that time, I discovered for myself the reality and the pernicious nature of poverty across the spectrum from rural to urban areas. With other councillors, I helped to devise the county's anti-poverty strategy in 1997. Our council joined the growing number of other local authorities adopting such strategies: Suffolk, for example, has done innovative work in rural areas.

Establishing our strategy in Gloucestershire has resulted in some pioneering work to help map rural poverty, right down to enumeration areas. A national strategy would help to provide a real boost to local policies, practices and partnerships, above all because such a strategy would be effective in co-ordinating policy across a range of Government Departments.

The national strategy to combat poverty and social exclusion required by the Bill would have that scope. Indeed, it would provide a framework for what my right hon. Friend the Prime Minister called for at Sheffield—an anti-poverty strategy of the same breadth and vision as that adopted by the Labour Government of 1945.

3.46 pm

Mr. Eric Forth (Bromley and Chislehurst): In this House, we have to decide whether the legislation that we propose and consider is serious, or whether it has become a series of gestures. Having listened to the hon. Member for Stroud (Mr. Drew), I fear that his Bill falls into the latter category.

The hon. Gentleman seems to think that stringing together enough buzz words will achieve the desired result. Even in the short passage that appears on the Order Paper, he has managed to squeeze in words such as "comprehensive", "participatory", "strategy" and "co-ordinated action" in quick succession, presumably in the hope that that will go some way towards producing the desired result.

I hope that the House will not be fooled by that. The simple repetition of words that sound positive and encouraging is not necessarily the way to achieve what is wanted. That is a real problem, but there is also a methodological problem with the proposals.

More often than not, the concept of poverty is defined in relative rather than absolute terms. It is often claimed that a quarter or a third of the population is in poverty, which is defined by reference to averages, overall incomes, medians or some other measure. The conclusion is that a person in the bottom third of a range of incomes is in poverty.

However, using that definition means that, although the lot of those defined as being in poverty can be improved, poverty itself can never be eliminated. The elimination of poverty might be possible if one were to use an absolute definition, but I do not think most people—and certainly not most Labour Members—define poverty in that way. If they did, we might be able to make some progress.

Then we come to our new friend, social exclusion. That is another term that has appeared in the language and which is supposed to have positive and warm connotations—at least for those who want to eliminate it. However, the hon. Member for Stroud admitted that the Government have already set up a social exclusion unit. Moreover, the Labour rhetoric claims that the problem of social exclusion, so recently identified, is now being tackled thoroughly and comprehensively by the Government.

I do not know whom to believe. Should I believe the Ministers who say that the problem is being dealt with and that the institutional mechanisms are in place? Or should I believe the hon. Member for Stroud, who thinks that an additional Bill—with additional buzz words attached—is needed, the better to deal with the problem of social exclusion? Perhaps the hon. Gentleman should have a word with Ministers in a quiet corner somewhere to work out whether anything is really being done about the problem and whether the Bill is necessary.

Then we come to the word "participatory". I suppose that some people might think that the more syllables a word has, the more effective it will be, but that depends on their view of English. However, the hon. Member for Stroud tells us that better and more effective policy will be produced if all those with something to contribute are allowed to take part in the process. I wonder. How on earth would the people who have something to contribute be chosen, so that they might be allowed to make their contribution? That is a real problem: if many people have the direct experience that the hon. Member for Stroud described, there must be some way to choose from their number—unless the hon. Gentleman thinks that all of them should be gathered together, according to some ancient Greek method. He would be faced, as we all would, with the problem of selecting who, of all those with a contribution to make, is best able to contribute in order better to promote policy. What he said was not very convincing in that regard.

The hon. Member for Stroud mentioned measurable targets, which may or may not be a good thing. He was honest enough to say that, if set too low, they can be too easily achieved, and if set too high, they might disappoint. Supposing, however, that we set meaningful targets, but they are not met. What would happen if all other mechanisms in the Bill, such as the new comprehensive strategy, co-ordinated action and social exclusion activity, were working splendidly as the hon. Gentleman intended, but the targets were still not met? What would be different, in trying to achieve his purposes, from what happens anyway?

I would certainly not in any way question the motives of the hon. Member for Stroud, which I am sure are the highest, but the House must learn to resist the temptation to give such measures a smile and a nod, to say that it sounds good and that it is the kind of thing that we all feel better at the end of the day's business for having agreed, because we have moved forward by a small step and the world is bound to be a better place. We must take ourselves more seriously. In order to do so, I cannot accept this measure, however well intentioned it is. It demeans the processes of the House and the meaning of legislation.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 228, Noes 16.

Division No. 62] **[3.51 pm**

AYES

Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Ashton, Joe
Baker, Norman
Ballard, Jackie
Barnes, Harry
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bottomley, Peter *(Worthing W)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dafis, Cynog

Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Donaldson, Jeffrey
Donohoe, Brian H
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Gordon, Mrs Eileen
Hancock, Mike
Harris, Dr Evan
Healey, John
Heath, David *(Somerton & Frome)*
Heppell, John
Hinchliffe, David
Hope, Phil
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Khabra, Piara S
Kidney, David
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Levitt, Tom
Linton, Martin
Livsey, Richard
Llwyd, Elfyn
Love, Andrew
McAllion, John
McCabe, Steve
McDonnell, John
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Michie, Bill *(Shef'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pendry, Tom
Perham, Ms Linda
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Rammell, Bill
Rapson, Syd
Rendel, David
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth R *(Harrow W)*
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Willis, Phil
Winnick, David
Wise, Audrey
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Judy Mallaber and
Mr. Ivan Henderson.

NOES

Beggs, Roy
Fallon, Michael
Forth, Rt Hon Eric
Hawkins, Nick
Hayes, John
Johnson Smith,
Rt Hon Sir Geoffrey
Laing, Mrs Eleanor
Malins, Humfrey
Pickles, Eric
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Thompson, William
Townend, John
Viggers, Peter
Wilkinson, John
Wilshire, David

Tellers for the Noes:
Mr. Desmond Swayne and
Mr. John Bercow.

Question accordingly agreed to.

Bill ordered to be brought in by Mr. David Drew, Mr. Peter Bottomley, Ms Julia Drown, Mr. Frank Field, Mr. John McAllion, Mr. Chris Pond, Mr. Stephen Pound, Mr. Ernie Ross, Mr. Andrew Rowe, Ms Dari Taylor, Mr. Steve Webb and Mr. Andrew Welsh.

POVERTY AND SOCIAL EXCLUSION (NATIONAL STRATEGY)

Mr. David Drew accordingly presented a Bill to require the production and implementation of a comprehensive, participatory strategy for co-ordinated Government action to reduce and eliminate poverty and social exclusion in the United Kingdom: And the same was read the First time; and ordered to be read a Second time on Friday 14 May, and to be printed [Bill 45].

Orders of the Day

Sexual Offences (Amendment) Bill

(Clause 1)

Considered in Committee, pursuant to Order [25 January].

[SIR ALAN HASELHURST *in the Chair*]

Clause 1

REDUCTION IN AGE AT WHICH CERTAIN SEXUAL ACTS ARE LAWFUL

4.4 pm

Dr. Evan Harris (Oxford, West and Abingdon): I beg to move amendment No. 1, in page 1, line 6, after '(buggery);' insert—

> '(aa) in sub-paragraphs (a) and (b) of paragraph 3 (buggery) of Schedule 2 (punishments, etc.);'.

I am pleased to see that the Home Secretary has joined the Minister of State, Home Office on the Treasury Bench. We are delighted to see the right hon. Gentleman in the Chamber but we are not sure what his presence signifies for the free vote that we on these Benches have been promised on this occasion. We hope that we will still have one.

I stress that I strongly support the clause. The purpose of the amendment is to explore ways in which the clause may be improved along the lines that I described in my contribution on Second Reading. It must be remembered that the clause deals with equality between homosexuals and heterosexuals in sexual matters relating to the criminal code. Amendment No. 1 draws attention to some of the other areas in which there should be equality.

There has not been a proper debate on such details for years and perhaps decades, if not centuries. Previous debates, especially on sentencing, have often taken place in the dark hours in the other place, at the last minute, and have been on measures tagged on to other Bills. This is the first opportunity in the context of a Government Bill for us to debate properly how equality in sentencing and other matters might be achieved.

Perhaps the most significant previous debate took place in the 1880s. The Government claim to be undertaking a process of modernisation, which some of us support. It is high time to modernise these laws.

We understand that it might be thought that some of these matters are covered by the Government's review of sexual offences. However, there is concern about the timetable of that review, first because these are relatively urgent matters, given that we are dealing with unequal sentences and other unequal provisions, and secondly because we are in danger of achieving equality and fairness in one part of a series of offences without making consequent changes in sentencing or in other respects covered by other amendments.

Amendment No. 1 deals with sentencing and other amendments deal with who can be charged with an offence. Other matters must be dealt with as new clauses and will be discussed in Standing Committee.

It is important to emphasise that in all these debates we are speaking about consensual offences. When we consider the appropriate sentence for such offences, whether heterosexual or homosexual, it is important that we restrict our consideration to consensual offences. Non-consensual offences fall outwith the remit of the clause. I hope that we will be careful to make that distinction.

We must recognise that when we seek equality, which is the thrust of clause 1, we mean equality as between consensual anal intercourse between men—by which I mean buggery; it is also called other things, but I shall try to stick to the term "anal intercourse"—and unlawful sexual intercourse between a man and girls—in the case of offences that will remain criminal, even when the Bill is enacted—under the age of 16. It is vital that we make that connection when we speak of equality.

When we speak about maximum sentences, we should not propose such penalties unless we anticipate the courts using them. It is not satisfactory to hope that the courts will use their judgment if the sentence is too steep. It is the job of legislators to legislate and to ensure that when we set maximum sentences, we are prepared to see them carried out.

If we are not prepared for that, it is incumbent on us to legislate for appropriate sentences and to take the earliest opportunity—which is afforded by the selection of the amendment—to legislate for equality in sentences relating to offences that have been legalised for certain people but remain illegal in other cases.

Various sentences apply to gay men and their sexual activities, but do not apply to heterosexuals. In the Bill the Government refer to consequential amendments affecting sentences, but they have not grabbed the bull by the horns and tackled all the discriminatory sentences that exist, nor have they adjusted the scheduling of the sentences to the provision that they are seeking to enact, with support from those on the Liberal Democrat Benches and across the House.

If one was decriminalising activities between the ages of 18 and 16 under certain circumstances—what those circumstances are falls outside the scope of the clause—one would expect to see the sentencing schedule amended to replace the word "eighteen" by "sixteen", where it applies.

If one considers the sentencing provisions that the Bill and my amendment seek to amend, under the Sexual Offences Act 1956, buggery or attempted buggery between a man and a person under the age of 16 is an offence—that is for consensual buggery—punishable by life imprisonment. For the similar heterosexual offence of unlawful sexual intercourse with a girl under the age of 16, the maximum sentence is two years.

There is a provision for a life sentence for unlawful sexual intercourse with a girl of 13 years of age or less, and that is an appropriate maximum sentence, but there is no similar provision for anal intercourse between a man and a young male under the age of 13, which should also carry a life sentence. That could be on the basis that the age is clearly too young generally, or that the act could not be properly consensual at that age.

That is something that the Bill does not remedy and I am unable to do so with the amendment either, but I hope that the Government will say what they consider to be the right sort of sentencing framework in that area.

[Dr. Evan Harris]

We therefore still have the discrepancy between a life sentence for consensual anal intercourse between a man and a person under the age of 16 generally, and unlawful sexual intercourse with a girl, where the maximum sentence is two years.

A further provision under section 12 of the 1956 Act, relating to buggery, that the Government are not amending is that, where a person is under the age of 18 and the accused man is over the age of 21, there is a maximum five-year sentence. There is no equivalent age provision for unlawful sexual intercourse with a female, so the two years still applies as the maximum sentence, which is lower in this case.

If the Government were seeking to recognise that the law had changed in respect of buggery and attempted buggery, they might have reduced the age in that clause from 18 to 16. That clause also covers buggery with an animal which attracts a life sentence; otherwise the offence attracts a sentence of two years. That is a hotchpotch, and my amendment seeks to recognise that the Government have not even started to address it in this legislation; it is vital that they do so.

As drafted, without the amendment, there is no change in the Bill's sentencing provision for buggery, which is surprising, as the age of 18 is written into the schedule. In section 13 of the 1956 Act, which is covered by the clause by virtue of its reference to section 1 of the Sexual Offences Act 1967, which in turn covers section 13 of the 1956 Act, which concerns gross indecency, one can detect another inconsistency in the current law between men and women. First, gross indecency is an offence which can apply only to men. There is no similar provision for unlawful consensual sex short of sexual intercourse with a female under the age of 16.

Mr. Desmond Swayne (New Forest, West): A few moments ago, the hon. Gentleman said that it was vital that the Government should address those anomalies. Will he explain precisely why? I accept that the anomalies exist, but why it is vital that they should be dealt with escapes me.

Dr. Harris: I should have thought that the hon. Gentleman would agree—perhaps he does not—that where there is unjustified discrimination it should be removed at the earliest legislative opportunity. That is why the Labour party's general election manifesto said that, in the context of civil liberties, the party would seek to remove unjustified discrimination wherever it exists. We know that the Government use the words "at the earliest legislative opportunity" as an almost automatic caveat. We on these Benches understand that. This is the earliest legislative opportunity. If we believe that it is vital to correct discrimination that is unjustified—I do, and I believe that that view is shared by other hon. Members—it is clearly vital that this opportunity be taken.

4.15 pm

Gross indecency attracts a sentence of two years except where the accused is over 21 and the other party is under 18, when the sentence is five years. The Bill makes the consequential amendment to that provision and changes 18 to 16. The maximum sentence for gross indecency is still two years in all circumstances, except where the accused is over 21 and the other party is under 16. There is no equivalent age differential for unlawful sexual intercourse, or sexual activity falling short of that, with a female under the age of 16.

My amendment would change schedule 2, which relates to section 12 of the 1956 Act, dealing with the offences of buggery and attempted buggery, by substituting 16 for 18. The problem with the amendment, as the Minister will no doubt point out, is that it does not change the discrimination that exists. The Committee may be interested to know that I tabled a much broader amendment that would match exactly, for consensual offences, the maximum sentence for homosexual offences with the equivalent sentence for heterosexual activity. That fell outwith the scope of the clause, however, and cannot be discussed on the Floor of the House today.

I understand that, but even if the Government had made the obvious consequential amendment and substituted 16 for 18, buggery or attempted buggery of a person under 16 would attract a life sentence. Substituting 16 for 18, however, means that buggery of a person under 16, when the accused man is over 21, would attract a maximum sentence of five years. As the Minister is aware, those two are inconsistent.

The Minister of State, Home Office (Mr. Paul Boateng): So why table the amendment?

Dr. Harris: The Minister asks a reasonable question. I had hoped to make it clear that I question why the Government could not have introduced a wider measure to achieve equality between homosexuals and heterosexuals for these consensual offences. People understand that that would be sensible, given that, over decades, we have not had an opportunity to change a law which hon. Members on both sides of the House agree is anomalous and discriminatory.

Many people think that the law is heinously discriminatory, because people suffer longer sentences for a similar act purely on the basis of their sexuality, not on the basis of whether the sentence is proportional to the offence. Society has moved on. It is time we addressed these issues; and the general concern is that, although the Government have initiated a review of sexual offences, we have no clear timetable for legislation, even with the caveat "parliamentary time permitting".

It is of grave concern that there may be no such legislation during this Parliament. We may be faced with a more illiberal, old-fashioned Government in the next Parliament. I hope that we will not be; it will not happen if our party is represented among them—although we cannot guarantee that, even to our most avid supporters.

There is also concern that, if the timetable is such that the only opportunity to legislate arises just before the next general election, the Government may be tempted to decide that there are priorities higher than the much needed reform of sexual offences legislation.

I have tabled the amendment to give the Minister the opportunity to explain how he intends to tackle the discrimination that exists in sentencing and to accept that, without widening this measure, legislation containing unjustifiable discrimination in sentencing will remain on the statute book. Although I will not push the amendment to a vote, I should be grateful if he responded to the points that I have made, as I informed him of them well in advance.

Mr. Boateng: This is truly a probing amendment, and I shall deal with it in that way.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) presents an amendment that is fundamentally flawed. Its effect would be to create a gross anomaly. He claims that he tabled it to highlight the fact that there are numerous anomalies in current legislation. We have long accepted that there are anomalies in the law relating to sexual offences, which is precisely why we have determined to establish an inclusive review of sexual offences that reflects the broad range of opinions on those issues. The review will draw on academic and legal expertise, on our faith communities and on practical good sense—indeed, common sense—in approaching those issues.

We must ensure that we have a rational and comprehensive system of law relating to sexual offences with, at its heart, the protection of vulnerable people. The Committee upstairs has spent a considerable time debating that, and we shall address the issue this afternoon. Indeed, that issue motivated us to introduce this legislation. We want to ensure, first, that we have equality before the law and, secondly, that we do everything in our power to protect vulnerable people who are prone to the depredations of those who would abuse their trust. The Bill deals with those two separate issues.

Clause 1 has a simple objective: to bring about a change based on the principle of equality. It makes the age of consent in England, Wales and Scotland 16, and in Northern Ireland 17, for homosexual as well as heterosexual activity.

There are anomalies and inconsistencies in the way the criminal law treats heterosexuals and homosexuals. We shall ensure that the review deals with those anomalies and that the protection of children and vulnerable people from those who would abuse them is central to the objectives of the system of penalties. We look to the sexual offences review to guide us on that objective.

The hon. Member for Oxford, West and Abingdon seeks to obtain from the Government an undertaking that we will legislate in the course of this Parliament. He will realise that I cannot give such an undertaking. I am prepared to tell him, however, that we intend to carry out the review within 12 months. It will be done with due expedition and, as I said, in an inclusive way that seeks to stimulate an informed public debate on those issues. We shall then consider the outcome of the review. That, in turn, will be subject to a proper consultation process and, in due course, legislation will be introduced.

That is how we intend to proceed. It is right that we should proceed in that way—with expedition, but at the same time ensuring that, at every stage, this vital area of the law is subject to proper reflection and consideration. Wide consultation is essential if we are to obtain a public consensus around a rational system of sexual offences law. We must tackle existing anomalies, but above all we must protect children and vulnerable people.

We oppose the amendment for the reasons I have given. It is technically flawed, and would create yet another unconscionable and unacceptable anomaly. Were the hon. Gentleman to push the amendment to a vote, our recommendation to the House would be to reject it. The House has heard the points that he has made, and he has heard me accept that there are anomalies and say that they will be considered by the sexual offences review. In the light of that, and of the amendment's obvious technical flaws, I hope that he will withdraw it.

Dr. Harris: Throughout the Minister's reply, he did not accept that the current sentencing provisions are discriminatory: he said that they are anomalous. They are clearly anomalous, but does he accept that they are discriminatory? A 22-year-old man who is convicted for unlawful sexual intercourse with a girl of 15 faces a two-year maximum sentence, whereas a man of 22 who has unlawful anal intercourse with a young male of 15 can be given life imprisonment. If all the other circumstances of the case are broadly similar, does the Minister think that such disproportionality based only on the different sexuality of the two men is acceptable? Is it not discriminatory?

I shall give the Minister an opportunity to intervene to explain whether the Government accept that the present sentencing provisions discriminate against homosexuals. If he remains silent, it is difficult for people to have confidence that the review will deal with such unjustifiable discrimination.

Mr. Boateng: I do not want to be churlish so early in the proceedings, but I thought that I had made it clear that the purpose of the review is to address undoubted anomalies in the legislation. Among those anomalies is the obvious discrimination in the sentencing legislation, and we are addressing those issues. We have asked the review body to deal with them, and we shall reflect on the outcome of the review. It is right that we should do that.

We should recognise the importance of approaching this matter holistically and rationally. I hope that the hon. Gentleman will accept that we are acting in good faith on this matter so as to ensure a proper debate and discussion of the issues and anomalies that he has identified with some skill.

Dr. Harris: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Dr. Harris: I beg to move amendment No. 2, in page 1, line 9, at end insert—

'( ) In section 12 of the Sexual Offences Act 1956 (buggery)—

(a) at the beginning of subsection (1), there shall be inserted the words "Subject to subsection (1D) below"; and

(b) after subsection (1C), there shall be inserted the following subsection—

"(1D) No proceedings shall be taken under this section against a person under the age of sixteen where the other party has at the time of the offence attained the age of sixteen."

( ) In section 13 of the Sexual Offences Act 1956 (indecency between men)—

(a) at the beginning, there shall be inserted the words "(1) Subject to subsection (2) below"; and

(b) at the end, there shall be inserted the following subsection—

"(2) No proceedings shall be commenced under this section against a person under the age of sixteen where the other party had at the time of the offence attained the age of sixteen.".'.

The Chairman: With this, it will be convenient to discuss amendment No. 6, in page 1, line 20, at end insert

'; and after subsection (11) there shall be inserted the following subsection—

"( ) No proceedings for any offence under subsection (5) above which consists of committing a homosexual act shall be commenced against a person under the age of sixteen where the other party had at the time of the commission of the offence attained the age of sixteen.".'.

Dr. Harris: I intend to brief, because other hon. Members want to contribute, and I shall leave it to them to develop some of the points. The amendment deals with discrimination in the culpability, chargeability, prosecutability, convictability, sentenceability and imprisonability of the younger person for consensual, illegal acts.

Clause 1 seeks to reduce the age of consent for homosexual sex—which we support. It will ensure that, in many circumstances, although not all, homosexual sex above the age of 16 is legal between two consenting people. However, glaring discrimination remains, because the younger person whom we are seeking to protect through these sexual offences measures is made a criminal by virtue of the same Act that makes him a victim. The provisions of the clause could be amended by this or a similar amendment.

There are significant jurisprudential problems, and it is important that the Government accept the effect of the amendment. There are problems with the philosophy of criminalising a victim. We also have duties under the European convention on human rights. It is difficult to ensure that offenders are appropriately brought to book when the people who may be able to report offences are subject to criminal prosecution for the same acts that have made them a victim. Surely that will deter people from either seeking help or resorting to the impact of the law. The lack of a provision such as the one I suggest is a glaring omission in the Bill.

4.30 pm

A girl who has unlawful sexual intercourse committed against her when she is under 16 cannot be charged with the offence. At the end of the last century, the Tyrell case, which is quite well known in case law, showed that she could not be successfully prosecuted—even if she was the instigator—for aiding and abetting the offence. I consider that entirely appropriate: men, especially older men, must take responsibility for their actions, and must not be able to pass off age-of-consent offences as the responsibility of the younger party. It is vital for that anomaly to be removed. I use the word "vital" again for the benefit of the hon. Member for New Forest, West (Mr. Swayne).

In the Sutherland judgment, the European Commission of Human Rights said that part of the problem with British law was the provision whereby the younger party was criminalised, and the effect of that criminalisation was disproportionate to whatever society wished to achieve. I think that both sides of the age-of-consent argument will agree that the anomaly must be removed, that we must decriminalise victims of the offence and that this is the right legislative opportunity for such a move. We can act now, in Committee, or at least at some point during the Bill's passage. That will achieve the Government's two aims, which—as both the Secretary of State and the Minister have eloquently conveyed—are equality and the protection of young people. I ask the Government at least to take on board an amendment such as this.

Mr. David Borrow (South Ribble): Unlike my speech on Second Reading, this speech will be brief.

I support the amendment for a number of reasons. Since 1967, legislation on this subject has always started from the standpoint that any sexual activity between males is illegal and wrong; it has merely decriminalised activity in certain regards. It has never introduced an age of consent in the sense that is recognised in the case of heterosexual relationships. That applies to the Criminal Justice and Public Order Act 1994, and to this Bill. The amendment would introduce the protections for the younger party in consensual sex between someone below the age of consent and someone above that age that already exist for heterosexuals.

Twenty-odd years ago, I saw a booklet produced by the Campaign for Homosexual Equality, which dealt with the discrimination in the gamut of laws affecting gay men. The issue is complex, and I do not suggest that the Bill is necessarily the right way in which to put things right. I also realise that Ministers are conducting a sexual offences review, during which a number of the problems and anomalies will be examined. However, following the Euan Sutherland decision the Government promised to amend the law in two ways. That is why we are considering the Bill.

The first way in which the law needed to be amended related to the age at which it became an offence to engage in sexual activity. That is why we are equalising the age of consent at 16 in England and Wales and 17 in Northern Ireland. Secondly—this has not been referred to generally, although the hon. Member for Oxford, West and Abingdon (Dr. Harris) has referred to it—there was the penalising and criminalising of the person who is under the age of consent. It is essential that, if we are to respond properly to the Euan Sutherland judgment, we ensure that the Bill deals not only with the equalisation of the age of concept, but with the criminalisation of those under the age of consent. I will leave it there.

Mr. Andrew Rowe (Faversham and Mid-Kent): I trespass into the minutiae of the discussion with some diffidence because, unlike the hon. Members for Oxford, West and Abingdon (Dr. Harris) and for South Ribble (Mr. Borrow), I have not made a detailed study of the case law and the consequences thereof.

I have three points to make. The first is that there is a curious ambiguity around the word "consensual" The proper meaning of the word is that there is an equal readiness by both parties to indulge in the behaviour, yet there is an understandable and proper anxiety that, where one party is older than the other—and particularly where the younger one is below the age of 16—there is a serious risk of pressure of varying forms being put on the younger one, so that, although the appearance is given of consent, in practice, it is a reluctant consent.

Mr. Borrow: Given that there would be pressure by the older person on someone under the age of 16 to become involved in sex, does the hon. Gentleman recognise that criminalising the younger party in that relationship would make it less likely that he would feel able to report and to seek the protection of the legislation, and that he would be more likely not to report the offence because of the fear that he had committed a criminal offence and could be charged? Instead of protecting the younger person, the measure would make it more difficult for him to be protected.

Mr. Rowe: The hon. Gentleman, perhaps inadvertently, tries to rush me through my remarks. I was going to move on to that matter. It is important to be clear that the term "consensual" carries within it the ambiguity that, where there is a disparity in age, the younger person may appear to have given consent, but, if he had been genuinely free to decide on his behaviour, might have refused that consent.

On my second point, I share the hon. Gentleman's view that to criminalise the younger party when he is under 16 for such behaviour—which allegedly was consensual, but may not have been—makes it harder for him to seek the protection and advice that we all wish to make available to him. That is the view of most of the professional counsellors and services working in the sector.

Mr. Swayne: That view must be wrong then.

Mr. Rowe: My hon. Friend has a cynical view of the professions. Sometimes he is not altogether unjustified, but if we are to proceed at all rationally, we have to allow that people who have devoted most of their working lives to assisting young people to work their way through the complexities and confusions of their sexual behaviour probably have a superior contribution to make; it is certainly superior to the one that I make. I am prepared to accept their view that criminalising the behaviour of the younger, perhaps reluctant, party does not help to solve the problem. Therefore, I have considerable sympathy with the amendment.

The third point is a more general one. It goes back to a debate that the Minister of State, Home Office had in front of what in those days, before the change of name, was called the all-party group for children. The group, of which I am an officer, believes strongly that girls below the age of consent who are engaged in prostitution should be regarded as victims of abuse and not as criminals in some conniving way. I very much hope that there will be a change in the law to that effect.

From time to time, the law has a useful declaratory purpose, but its interpretation is also important. Today's debate provides an opportunity to improve the law and I support the amendment. Police forces and prosecution services have become much more aware of the dangers of criminalising young people, and only a few prosecutions take place.

Finally, we talk rightly and properly about protecting young people from predatory behaviour by older people. Sadly, however, there is an increasing number of severely damaged young people whose only recourse, when looking for excitement, comfort or whatever, is to try to seduce older people sexually. It is important to put on the record the fact that teachers and other adults are often put in a difficult position by young people to whom they are trying to extend care and affection when, because of the damage that they have endured during their young lives, their response is to try to titillate the older person into going too far. When we talk about protection, we should recognise that older people—particularly when the opportunity for blackmail or damaging someone's career is taken into account—need protection, too.

Mr. Swayne: The hon. Member for Oxford, West and Abingdon (Dr. Harris) said that he chose his words carefully when he said that it was vital that the amendment should be carried so that the anomaly that he identified would be addressed. I shall use the same word. I think that it is vital that the anomaly should remain and I shall explain why.

The anomaly that the hon. Gentleman identified is that a girl under 16 who has consensual sex with a man over 16 is not prosecuted for having given her consent and indulged in that illegal activity, whereas a boy under 16 who has consensual sex with a man, or indeed a boy over 16, may be prosecuted for having given his consent. That is an important distinction and an important principle because it shows that the law continues to identify a clear difference between homosexual activity and heterosexual activity—between a girl under 16 explori[illegible] sexual desires and a boy under 16 exploring an unnatural sexual desire. It is important that the law should send a message that for a boy under 16 to explore sexuality in that way is not acceptable, is illegal and carries a penalty. We should send the message that the two life styles are not equivalent.

4.45 pm

I realise, that I am now treading on the subject matter of the debate on Second Reading, but I think that we should revisit the principles dealt with in both amendment No. 2 and the earlier debate. In the Second Reading debate, hon. Members on both sides of the House—although rather more Labour Members than Opposition Members—accepted the principle that one's sexual proclivity is fixed and determined, and that one can have no influence over it. I accept entirely the experiences described by Labour Members in supporting the principle. I do not dispute their experience, or say that they are wrong on the principle, but they painted an incomplete picture.

The experiences that were described in the earlier debate may be a valid description of the experience of some boys, whose sexual appetites and proclivities are fixed. Equally, I am aware of young men—young boys—under 16 who experience particular unnatural desires at a tender age, approaching 16, but are ashamed of those desires. They are appalled by their desires and repress them, and go on to outgrow them and live a perfectly normal life. They are ashamed and appalled by their desires because of the social pressures exerted by their peers, who say that it is not natural behaviour or something of which society approves.

Maintenance of the anomaly will therefore play an important role in sending a clear message, from the law and from society, that such behaviour is not a normal or

[Mr. Swayne]

an acceptable way of life. The anomaly should therefore be maintained—so that the law's clear message is that it is an unnatural expression of human behaviour for young boys under 16 to explore their homosexual attitudes; that it is in no way an equally valid life style; and that young men are protected by the law from such exploration. Some young men will therefore never explore it, but outgrow it.

Mr. James Clappison (Hertsmere): This has so far been an interesting debate. I should make it clear now that my remarks are very much personal ones. For Opposition Members the matters dealt with in amendment No. 2—as with the other matters we have considered in the Bill—are, the subject of a free vote. My remarks are therefore only a personal contribution to the debate.

I make it clear that my approach to the amendments is guided by a wish to give the strongest protection possible to children and young people. I have judged the entirety of the Bill by that same criterion. As a background to the amendments, I should say that, although the Bill aims to protect youngsters of 16 and 17 from abuse of a position of trust by an older person, it is fast emerging, as we consider the Bill, that that protection is far from comprehensive, that it contains many loopholes and anomalies, and that it could go much further than it does. That is most true of youngsters under 16, who are the subject matter of amendment No. 2. The Bill and its provisions on abuse of trust do nothing at all for youngsters under 16.

In the previous debate, I listened carefully to the Minister's comments on wanting to protect vulnerable people. I join him in that wish, and shall certainly support him in any reasonable endeavours to realise it. However, he will have to face the fact that those under 16, who are most in need of protection—the younger the person concerned, the greater the need for protection—will receive no protection from the Bill's provision. That is the criterion by which I judge the amendments.

The Utting report forms the background to today's debate. That catalogue of abuse and misery—which was chronicled by hon. Members on Second Reading—predominantly concerned youngsters under 16. That is the background against which I set the debates on the amendments.

Will the amendments help to protect youngsters under 16? It is obvious that the Committee is moving towards 16 as the age of consent. I think that it is a mistake, that 18 is more appropriate and that 16 is far too young. However, we must be realistic. This is a serious matter—we are talking about protecting young people—and we must see the best that can be done in the circumstances.

When the Bill is enacted and 16 becomes the age of consent, sexual relationships involving youngsters under 16 will be unlawful, as they are now. As the law will then stand, it will be unlawful for a person over 16 to have a sexual relationship with someone under 16. As I understand it, where such a relationship takes place, both persons will be involved in the unlawful act.

The amendment proposes that, in such a case, no proceedings shall be commenced against the party who is under 16. The argument made by the amendment's supporters is that the person under 16 should be regarded not as the perpetrator, but as a victim. I know that feelings run high on that matter, and it is perfectly possible to have strongly held and legitimate views on the subject. However, it is important to judge the position of the 16-year-old against the criterion that I set out at the beginning of my speech—the need to protect them from older people.

The argument from the amendment's supporters is that the removal of any prospect of criminal proceedings for the younger party will make it more likely that the criminal offence committed by the older party will come to light. As has been said, in such cases, the sexual relationship is consensual. If it is not consensual, that is an entirely different matter and other serious criminal charges will be involved. I appreciate the remarks of my hon. Friend the Member for New Forest, West (Mr. Swayne) about the nature of consensuality.

In cases where the younger party has been a consensual party in the activity, if he comes to realise that what happened was wrong and unlawful, he has to face the prospect that there is a theoretical risk of prosecution—something that may even be pointed out to him by the older party concerned. I say that there is a theoretical risk of prosecution because it would appear that, in such cases, the younger party is only rarely prosecuted, although the position is not entirely clear.

I am not sure how much we should weigh that fact in the balance. On the one hand, it could be said that there is no need to change the law as the amendment proposes because such prosecutions are hardly ever brought. On the other hand, there remains the possibility of prosecution, however remote it may be. We must ask whether it is good to have a law in place that is only rarely enforced. For someone under 16, even a theoretical risk of prosecution is something that that party must take into account and be influenced by. I suppose that, the more law-abiding the person concerned, the more they would take that risk into account.

I would like a strong, credible and well-enforced legal framework put in place to protect young people. I am extremely keen to protect young people from unlawful sexual activity, and anal intercourse in particular, involving older people, especially when the older person is substantially more mature and inclined to exploit the younger person's youth and inexperience. Sadly, there are such people around. For anyone over 16 to commit the offence with an under-16-year-old is a serious matter, but it is even more serious when the older person is perhaps 27, 32 or even in his 40s.

The hon. Member for Oxford, West and Abingdon (Dr. Harris) referred to the case of Tyrell and the well-established legal position in respect of under-16-year-old girls in the offence of unlawful sexual intercourse. I listened with interest to the Minister's remarks on that subject. The low maximum sentence of two years for unlawful sexual intercourse with a girl of under 16 is a glaring anomaly in our law that has been there for many years. I make no party point, as the anomaly remained under Conservative Governments as well as Labour.

The Minister's remarks had an especial poignancy for me, as I can remember having exactly the same debate in proceedings on the Crime and Disorder Bill. We put exactly the same remarks to the Minister who was in charge of that Bill and he in many ways accepted the spirit of our point that two years was far too low.

Dr. Harris: I saw the Minister nodding vigorously, as he did in Committee upstairs, at the suggestion that the maximum sentence of two years was too low; but one must be realistic. The offence is widespread, as we can see from the number of pregnancies, abortions and births among under-16-year-olds. If the hon. Gentleman is suggesting that we should lock up fathers—irresponsible and law-breaking as they may be—for up to five years, he may be going down a path that is the reverse of what we want to do.

Mr. Clappison: Given that the law has become so anomalous, with a maximum sentence for indecent assault of 10 years and for unlawful sexual intercourse of only two years, it is hardly surprising that the law is not being as vigorously enforced as it might be. I think that the latter offence is a very serious matter, especially when the older person is much more mature and experienced and is taking advantage of the girl in exactly the way that I have described someone taking advantage of a boy.

The Minister's predecessor said almost a year ago that there would be a review of the law on unlawful sexual intercourse and that the Government would put it right but that they needed to consider everything in the round and consult the experts. Here we are, a year later, having the same debate, and the law has not changed.

The legal authority of Tyrell goes back to the late 19th century. That well-known authority established that a girl under 16 cannot be guilty of aiding and abetting an offence of unlawful sexual intercourse, since the offence was created for her protection. I believe that there is merit in considering to what extent it is appropriate to take that approach for offences involving anal intercourse with a boy under 16. That is my personal view. We need to exercise some care in how we explore that approach, but I want to do what is best to protect the young person concerned.

5 pm

We have to explore the matter with some care. It is my understanding that the amendment differs from the position established by the Tyrell case. Tyrell established that a girl under 16 commits no offence, whereas the amendment establishes that no proceedings should be brought. I do no more than note that there is a difference between those two positions. We need to be clear how the proposal fits in with other types of sexual offences.

It would appear that, even if the amendment were accepted, two youngsters who were both below the age of consent would still be liable to face proceedings. That is important, and we need to preserve that position. There should be no question of our moving towards a de facto reduction in the age of consent below 16. We should be concerned about protecting the younger person from abuse by the older person. The law in respect of unlawful sexual intercourse with under-16-year-olds needs to remain in place. The protection aspect needs to be borne in mind when we consider anal intercourse between someone under and someone over 16 years of age.

We need to be able to deal with every case, and we must think carefully about some of the rare and unusual circumstances that might arise.

Mr. Swayne: Has not my hon. Friend raised the possibility of a rare and unusual case in which there would be an incentive for a young man under the age of 16, who was seeking to explore his homosexual desires, to select a partner over the age of 16? He would then be absolved from any wrongdoing, whereas, if he selected someone who, like him, was under 16, he would be committing an illegal act.

Mr. Clappison: My hon. Friend makes a perfectly fair point. In that case, the law should protect the under-16-year-old from himself. The person over 16 should be aware of that and should face condign penalties for taking advantage of an under-16-year-old who was in that frame of mind.

I am concerned about the message that we might be sending. We must protect under-16-year-olds, not reduce the age of consent any further. As I said, I am concerned generally that we have reduced the age of consent too far and too fast. We have introduced one reduction in the age of consent hot on the heels of another. If the amendment is adopted, to avoid any possible misunderstanding, there has to be vigorous enforcement of that aspect of the law. An amendment like this has to go hand in hand with a vigorous approach and a strong and credible legal framework.

I am worried about the apparent change in the number of prosecutions brought against people over 21 for offences of buggery with males of under 16 years of age. There is at least a coincidence between a big reduction in the number of such prosecutions and the reduction in the age of consent. Figures from the House of Commons Library show that the numbers of prosecutions of over-21-year-olds for buggery with under-16s in 1993 and 1994—before the age of consent had been reduced—were 293 and 291 respectively. Since then, there has been a significant collapse in the number of such prosecutions. In 1995—the first year in which 18 was the age of consent—there were 151 such prosecutions; in 1996 there were 73; and in 1997 there 103.

Mr. Mike Hall (Weaver Vale): What has that to do with the amendment?

Mr. Clappison: It has everything to do with the amendment—

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. Sedentary interventions from Members on the Front Bench do not help the debate.

Mr. Clappison: If we are to make a change in such a sensitive area of the law, affecting the legal position of under-16-year-olds, we must make sure that it goes hand in hand with vigorous enforcement of the law against older people minded to have sexual relations with younger people. That is vital. The figures show that a big change happened between 1993-94, when the age of consent was 21, and the period 1995 to 1997, when the age of consent was 18. The number of people over 21 prosecuted for having sex with people under 16 fell from 291 in 1994 to 73 in 1996 and 103 in 1997.

[Mr. Clappison]

I want to ensure that any change such as is proposed in the amendment will not be accompanied by a change in the priority given to those prosecutions. If the amendment is accepted, the law must be enforced vigorously, because we should do all that we can to protect those under 16 from the attentions of those over 21.

Speaking purely personally, I hope that the law will be applied much more vigorously if the amendment is accepted. However, there is merit in exploring the extent to which the amendment would afford greater protection to people under 16. That is the criterion by which I judge it.

The Secretary of State for the Home Department (Mr. Jack Straw): There has been general, although not universal, approbation in this debate for the principle behind the amendment, which was expounded by the hon. Member for Oxford, West and Abingdon (Dr. Harris) and by my hon. Friend the Member for South Ribble (Mr. Borrow). Most hon. Members who have spoken have found it unacceptable that the person under 16 who engages in a homosexual act or in an act of buggery, in which the older party is 16 or older, should end up being criminalised, instead of being regarded as the victim.

I am glad to note that general view. I am also glad to have been informed that a number of children's charities are worried about the degree to which under-16-year-olds, if we leave the law as it is, will end up being considered to have committed a criminal offence, rather than being regarded as victims. I am told by my officials that the National Society for the Prevention of Cruelty to Children, Barnados and the Children's Society have all said—and have allowed me to say in public—that they would support the decriminalisation of the younger party in those circumstances.

Several other anomalies have been debated, both upstairs in Committee and on the Floor of the House. Although we are seeking equality in terms of the age of consent, the law starts from very different points for males and females. Also, some aspects of the European convention on human rights, and other factors, mean that we do not start from a position that is wholly symmetrical, and I doubt whether we will end at such a position. We consider that it is appropriate for most of the remaining anomalies to be examined in the review of sexual offences that my hon. Friend the Minister of State mentioned earlier.

However—to return to the amendment and the parallel proposals for Scotland and Northern Ireland—in the interests of protecting children, we think that it would be sensible to take action along the lines proposed, in the course of the Bill's passage through the House. We accept the principle behind the amendment. We also acknowledge the cautious point made by the hon. Member for Hertsmere (Mr. Clappison), who said that we must be careful and fully explore how the amendment would work.

Therefore, if it is acceptable to the Committee, I propose that we examine the principle behind the amendments between now and the time when the Bill comes back on Report. My hon. Friend the Minister of State will have discussions with the hon. Members who tabled the amendment, if they so wish, and those discussions may also include the hon. Member for Hertsmere or any other hon. Member who might wish to take part. The aim will be to produce wording that is acceptable and technically competent and meets what I think is the will of the Committee. Those amendments can then be tabled when the Bill comes back on Report. If the hon. Member for Oxford, West and Abingdon disagrees with them, he can table his own amendments, on which the House will have an opportunity to vote at that stage.

I hope that that is an acceptable way of proceeding in circumstances of general—not universal—approbation for what is proposed. We must however ensure that the wording is right and that the offences that we are eliminating deal only with this mischief and do not raise other mischief in their wake.

Dr. Harris: I give the Secretary of State a very warm welcome for those remarks, and thank him for his consideration of the broad principle. I am the first to accept that the drafting of the amendments is almost certainly incorrect. Indeed, we had such trouble drafting an amendment to pertain to Northern Ireland that it was not considered suitable to be selected for debate. So, of course we understand the need to return to the matter on Report. I am sure that the hon. Member for South Ribble (Mr. Borrow) will join me in recognising that the work on considering the anomaly and bringing forward suggestions was not really done by us, but by organisations outside the House. I thank them for their work, and in doing so, thank the Secretary of State once again for his words. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Richard Allan (Sheffield, H[illegible]m): I beg to move amendment No. 4, in page 1, line 15, at end insert—

"EXCEPTIONS

'( ) In sub-paragraph (2)(b) (offences in England and Wales) of paragraph 1 of Schedule 1 of the Sex Offenders Act 1997 (sexual offences to which part I applies)—

(a) after the words "(a)(iv)" there shall be inserted the words "and (vii)"; and

(b) after the word "over;" there shall be inserted—

"(bb) paragraph (a)(v) and (vi) does not apply where the other party to the offence was 16 or over".'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 5, in page 1, line 20, at end insert—

'( ) In sub-paragraph (2)(b) (offences in Scotland) of paragraph 2 of Schedule 1 of the Sex Offenders Act 1997 (sexual offences to which part I applies) for the word "18" there shall be substituted the word "16".'.

No. 7, in page 1, line 23, at end insert—

'( ) In sub-paragraph (2)(b) of paragraph 3 (offences in Northern Ireland) of Schedule 1 of the Sex Offenders Act 1997 (sexual offences to which part I applies)—

(a) for "(d)" there shall be substituted "(i) and (iii)"; and

(b) after the word "over;" there shall be inserted—

"(bb) paragraphs (b)(ii) and (d) do not apply where the other party to the offence was 17 or over".'.

Mr. Allan: The Home Secretary gave a very pleasing and gracious response to the previous amendment, which

I hope will set the tone for debate on another simple group of amendments, which would make changes consequential to the lowering of the age of consent from 18 to 16.

In preparation for considering this matter, I looked at the words of wisdom of the right hon. Member for Cardiff, South and Penarth (Mr. Michael), who spoke for the then Opposition on the Sex Offenders Bill in 1997. He must look back on those debates in Committee as halcyon days compared with working with the internal machinations of the Welsh Labour party. In Committee and on Report on the 1997 Bill, the right hon. Gentleman moved similar amendments to the ones that we are considering in trying to deal with the issue of offences between homosexuals aged 16 and 17 and whether they should appear on the sex offenders register. The response from the then Conservative Minister, Timothy Kirkhope, implied that the amendments should be rejected, primarily because the age of consent had not at that point been lowered. He argued:

> "I am aware of the arguments for reducing the age of homosexual consent to 16, but the fact remains that Parliament has decided that for homosexual offences the age of 18 must remain the threshold. That being so, I am not prepared to lift registration where the offence is committed against someone who is a minor for those purposes."—[*Official Report*, 25 February 1997; Vol. 291, c. 241.]

If clause 1 is agreed unamended, and the Bill subsequently enacted, the lawful age of homosexual consent will become 16. Therefore, individuals of 16 and 17 years old will no longer be minors for the purposes of buggery and indecency offences. I argue strongly that we run the risk of putting on the sex offenders register people who are committing consensual, non-criminal acts. That very much works against the register's principle, which is to be careful about who it targets. It is an active register which targets people who are likely to commit further criminal offences. It would make no sense to register people who have committed acts that are no longer illegal and who represent no danger to the public.

We hope that the Government will see the logic of the amendments and the risk that they may run if they are not prepared to accept them or similar ones. Like my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris), I am perfectly happy to concede that drafting errors may render the amendments unacceptable to the Minister at this stage. I hope that he will consider the principle of the issue: whether a sex offenders register, which I think everyone supports, and which is designed to be active and to enable the probation service, the police and other agencies to monitor people, should include those who have committed an act that is no longer a crime, particularly 16 or 17-year-olds whose acts will be legal subsequent to the passing of the Bill.

I hope that the Minister will respond positively and at least consider the anomaly, so that the sex offenders register hits the right targets. That was very much the spirit of the comments of the right hon. Member for Cardiff, South and Penarth. The amendments would boost the sex offenders register and treat people fairly, ensuring specifically that those who should no longer be on the register are omitted from it.

5.15 pm

Mr. Boateng: I hear what the hon. Member for Sheffield, Hallam (Mr. Allan) says. I appreciate the way in which he put his case. Amendment No. 4 would introduce further changes to the age limits for exception to the Sex Offenders Act 1997. Clause 1 is about the equalisation of the age of consent, and not about amending other legislation such as the Sex Offenders Act, unless that directly follows as a result of the change in the age of consent. The rationale behind registration under the Sex Offenders Act is based on the age of majority or adulthood, which is commonly accepted as 18 years of age. It is not based on the age of consent. Therefore, I do not find myself compelled by the hon. Gentleman's logic to accept his amendment.

The Committee will find under offences that attract age-limit exceptions to registration in schedule 1 to the 1997 Act, that offenders who are guilty of indecent assault on a woman and on a man do not have to register if the victim is 18 years old or over and the sentence is under 30 months. Offenders guilty of assault with intent to commit buggery must register only if the victim is under 18 years old. Such provisions relate to girls as well as boys, where the age of consent is already 16.

The hon. Member for Hallam will see that this matter is not about a form of discrimination between boys and girls, men and women, or their sexuality. It arises from the different bases of the register and of the age of consent. One is about majority and adulthood, the other about the age at which it is possible to consent to a sexual act. For that reason, I am unable to accept the amendment.

As the hon. Member readily recognises, the amendment is technically flawed. Although we could not accept it for that reason, we cannot accept it anyway due to the separate basis of the Sex Offenders Act. To amend the Act as he suggests would go beyond what is necessary for amending the age of consent, and open up wider issues concerning the Sex Offenders Act. We do not consider this Bill as a vehicle for piecemeal amendments to the Sex Offenders Act, which is already subject to review. To make the age of consent of the other party a determining factor for registration would mark a new departure in the Sex Offenders Act. Although I appreciate the spirit in which the hon. Gentleman moved the amendment, and give an undertaking to refer it in substance to the sex offenders review, I am not able to accept it for the reasons that I have given.

Mr. Allan: I am grateful for the Minister's final comments about considering the substance of the amendment in the sex offenders review. That is entirely appropriate.

I sometimes feel that we are talking about entirely different subjects. It is certainly my understanding that there is a distinction between the treatment of men who have had relations with girls aged 16 and 17, and those who have had consensual relations with men aged 16 and 17. To consider that within the sex offenders review may be the most sensible way to proceed, given that hon. Members wish to move on to the clause stand part debate. I want, however, to put on the record that I am not content that we have understood entirely the anomalies, and shall seek to pursue them further with the Minister in his review. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Sir Norman Fowler (Sutton Coldfield): I shall be brief. I believe that this is the third or fourth time that I have

[Sir Norman Fowler]

spoken on this issue. Our debates on the subject are becoming rather like the open and closed-list debates that we had some weeks ago, and I have a shrewd idea that I shall be defeated in the Division Lobby again.

I pay tribute to the sincerity of the arguments that we have heard on the issue throughout the debate. I hope that although many of us may disagree with the Government's proposal, we shall not be regarded as antagonistic to the homosexual gay community, because that is not our intention.

Clause 1 obviously raises the fundamental question whether the age of consent should be reduced to 16. I repeat that Opposition Members will have an entirely free vote on that decision. I shall try to review some of the evidence, but, in doing so, I shall express my personal views.

In 1994, I voted for the age of consent to be reduced from 21 to 18. Eighteen is the age of majority, and it seemed to me sensible that young men should make up their own minds at that age. I did not go back on that judgment. There are some who think that even that went too far, but I agreed with the Bishop of York, who at the time said that it was a sensible step and allowed the evidence to be assessed. The question is whether, after less than five years, we should move to the next step of reducing the age from 18 to 16. My view is that we should not.

It is not altogether possible to separate the principle of reducing the age from the protection for young people set out later in the Bill. I say that because, for many of us—as I think my hon. Friend the Member for Hertsmere (Mr. Clappison) suggested earlier—the protection of 16 to 18-year-olds is the acid test. If the position of 16 to 18-year-olds is made worse, more precarious, we should recognise that and say so.

In other words, I do not find the argument on the standardisation of ages for heterosexual and homosexual sex to be remotely the end of the debate. The crucial argument, surely, is that the House must be convinced that, if it takes this action, a group of young people between the ages of 16 and 18 will not be put at more risk. That, it seems to me, is the acid test. That may be an inconvenient argument, and it may not fit in with people's views on standardisation. However, it seems to me that the protection of young people must remain a proper—I would argue, a paramount—concern of the House.

That is why, in June 1998, I said that I had a great deal of sympathy with the amendments tabled by the hon. Member for Bassetlaw (Mr. Ashton). Those concerned abuse by an older person who was in a position—in his terminology—of authority, influence or trust. That is why the Government have now been persuaded to introduce a new offence where a person aged 18 or over has sexual intercourse with a person under that age if the person aged 18 or over is in a position of trust.

The first question that is raised for someone like myself is whether that protection is adequate. In Committee upstairs, the Minister of State—I have read what he said—has sought to set down four principles on the way in which that protection will be offered. In effect, he has limited the group of young people who are entitled to protection and those who are not. In Committee, and again today, my hon. Friend the Member for Hertsmere has demonstrated that we believe that there are some worrying gaps and that a worrying number of groups appear to be excluded, including members of youth organisations and members of Church and religious organisations.

However, a more specific point troubled me when I related the legislation to a case that I knew something about, and which I quoted in June—that of Roger Gleaves, the self-styled "Bishop of Medway", who was convicted in the 1970s of offences against young people. I drew attention to that case in the House of Commons. Then, in 1998, he was sentenced to 15 years for further offences against young people. In other words, he has been pursuing a career of abuse year after year after year. He is a prime example of the type of person that we are up against and need to recognise. However, it is by no means clear to me that the cover that he gave himself on the last occasion, in the period leading to his 1998 conviction—teaching young people first aid at a sports centre—would remotely have come into the definition of protection that has been provided in the Bill.

My next point is much more general. We all remember the words of Sir William Utting, the former head of the social services inspectorate at the Department of Health and Social Security. He served with me; he was an outstanding director. He said that persistent sexual abusers were a scourge of childhood. He said that their numbers were difficult to estimate, but that each one who adopted a lifetime career would amass hundreds of victims. However, his main argument was as follows:

> "Their success depends on their ability to ingratiate themselves with adults and children. They establish themselves as trusted friends, colleagues or employees".

In other words, seeking to obtain trust is the characteristic of their operations. That is what they try to do. That is the threat that they pose. It is very difficult to distinguish one group from another in the way that the legislation seeks to do.

Therefore, the issue that goes to the heart of the Bill is as follows. We know that some people will want to take advantage of a reduction in the age of consent. We also know something about the extent of the problem. In our last debate, on 25 January 1999—column 33 of *Hansard*—I referred to a study edited by Donald West of the Cambridge Institute of Criminology, which found that 12 per cent. of women and 8 per cent. of men reported that they had been sexually abused as children. We are therefore talking about a very large number indeed. My concern is that we risk making the position worse, not better.

Mr. Julian Brazier (Canterbury): I am certain that it is no part of my right hon. Friend's case—or that of any hon. Member—to suggest that every homosexual is an abuser or anything like that, but underlying the statistics that he mentioned is another statistic, which is not often quoted in the House. Although the vast majority of abusers are male, extraordinarily, 40 per cent. of those abused in children's homes in this country are male.

Sir Norman Fowler: I accept what my hon. Friend says, and I emphasise what he said at the start of his intervention. I certainly do not wish to make a generalised allegation. I am talking about risk and our responsibility in the House. My question is whether that risk will be increased—whether we are making the position worse by taking the proposed step. I fear that we are.

Obviously, I understand the argument for equality and standardisation of ages, but I hope that it is our duty to provide maximum protection for young people, and I hope that that duty is also recognised.

It is not only Members of the House and lobby groups who should be heard on this subject. The public have a right to be heard. My hon. Friend the Member for Witney (Mr. Woodward), who I see in his place, made a much-admired speech on Second Reading. It was so good that even Alastair Campbell has publicly praised it. I am not sure whether that is the kiss of political death for my hon. Friend, but there is no question about the quality of his speech, to which I also pay tribute. However, on one point I disagreed profoundly with my hon. Friend. When considering the opinion polls on this issue, he said, in effect, that the slave trade would have been supported by opinion polls. I assume that that meant that we should disregard opinion polls on the issue that is before us. With respect, that is an extravagant use of the tactic of guilt by association. The issues are not remotely comparable.

5.30 pm

I certainly agree that we should not try to govern by opinion polls. I say that with authority because no one could accuse the previous Conservative Government of slavishly seeking opinion poll approval. If we did, we were remarkably unsuccessful at it. However, when we find opinion poll evidence pointing in the way that it undoubtedly does in this instance, the House of Commons should at least take pause to consider.

In 1994, a Gallup poll suggested that 71 per cent. of those polled supported the status quo for the age of consent at 21. However, when the NOP divided the question and provided a choice between 18 and 16, a small majority then favoured 18. Only 13 per cent. favoured the further reduction to 16. That opposition to that further stage has remained clear in opinion polls.

Dr. Julian Lewis (New Forest, East): May I point out to my right hon. Friend that there is another disparity? In the case of the slave trade, opinions were being expressed about what conduct should or should not be directed to other adults. In this instance, those who are polled are expressing opinions about what should or should not be done to children, in many cases their children, in respect of whom they have rights until they are 18.

Sir Norman Fowler: My hon. Friend makes a strong point. I have read what he has had to say in debate. I agree with him and it is a point that I shall come to.

The opposition to going further from 18 to 16 has remained clear in opinion polls. The most interesting of the later polls was the Gallup poll last August, which was conducted after the House of Commons had voted to lower the age of consent to 16 and the House of Lords had voted the other way.

When those polled were asked whether they personally thought that the age of consent for homosexual men should be 16 or 18, 65 per cent. said 18 and only 26 per cent. said 16. I now come to the point of my hon. Friend the Member for New Forest, East (Dr. Lewis). In my view, when it comes to such issues the public are a sensible judge. I tried to set out the experience that we had at the Department of Health when we were running the AIDS campaign in the late 1980s. In spite of all the predictions that there would be a backlash against gays or homosexuals, there was not one. There was none of that. The public accepted, understood and supported the campaign which we undertook. They showed their common sense and maturity on these issues.

The same public are expressing their views in the opinion polls that are now taking place. We cannot say that they are mature in one respect and then say, when it comes to something that is inconvenient to one's argument, that they show an immaturity and fail to appreciate the arguments. I would take the general rule of trusting the public. In this respect, trusting the public takes on board the fact that the public feel genuine doubt, have a questioning attitude and feel opposition to reducing the age further. It is the same public who are making their views clear about reducing the age further from 18 to 16.

There is one further point, and it has been made by my hon. Friend the Member for New Forest, East. Many of the people whose views are being sought are parents. They have concerns about their own children, the young people whom they know best. I believe that parents have a right to be heard, and I think that they are right on this issue. Far from rejecting public opinion, we should recognise its strength and sincerity. We reduced the age of consent to 18 years less than five years ago and I do not believe that the case has been made out to reduce it further.

Mr. Brazier: I was thinking about an old adage when I was sitting in the train earlier. It is the old joke about the man who dreamt that he was making a speech in the House of Commons and woke up to find that he had done so. I ask myself why we are here again in the Chamber debating this issue so fervently. We are here again because the House of Lords gave us a second opportunity to think about it. Despite the overwhelming vote last time round, it seems profoundly right that the House of Commons should think again.

Those of us who have spoken out against equalisation, as it is called, of the age of consent have been repeatedly accused by Members who have formed a lobby, at least outside Parliament, of prejudice and ignorance. It is curious that we have not only public opinion on our side but a substantial body of scientific evidence, to which I shall return. Above all, we have on our side of the argument all of the world's great religions. In that respect, the most recent contributor to the debate was the Archbishop of Canterbury, who made the profound comment that we must think about the signal that we are sending to the country at large. Of course, we must make up our own minds; we are in the House of Commons to make up our own minds and not simply take account of others' views.

I have no wish to hate or dislike anybody, or to victimise anybody. The younger brother of my great-grandfather, as a student at Oxford, was a homosexual. He was afraid that he was being pursued by the police. There was no evidence subsequently that that was the case. He went into personal panic, fled across southern England and committed suicide in the most horrible circumstances. I have no wish to see anyone victimised or pursued for any particular reason.

I believe that it is wrong to lower the age of consent to 16 and that one day views in the House of Commons will change. I believe the country to be right and the views expressed in the previous debate to be wrong.

[Mr. Brazier]

I shall allude briefly to the parallel that was drawn by my hon. Friend the Member for Witney (Mr. Woodward) with slavery. I believe it to be a disgraceful reflection on the people of this country. In 1863, President Lincoln was fighting a war which cost a far higher proportion of blood and lives in his country than the first world war cost in our country. That war was being fought to abolish slavery.

The President received a letter signed by thousands of Lancashire cotton workers. The comment was made in the letter that the effect of the American civil war and deprivation in Liverpool, as a result of the disruption to the cotton trade, was causing the most unbelievable hardship, even to the extent that many of the children of those who had signed the letter were dying of starvation. None the less, they, as the working class people of Liverpool, felt so strongly about the abolition of slavery that they believed that Abraham Lincoln was absolutely right to prosecute the war. He was reduced to tears by the letter and abandoned his Government's business for half a day to compose a worthy reply. So much for public opinion in this country on slavery, and back to the business of today.

I wish to focus on whether homosexual activity is a matter of choice or whether it is somehow pre-ordained. Of course, activity that is consented to is always a matter of choice. However, there are those in the homosexual lobby, supported by a growing group outside it, who are arguing that activity is a matter of choice but orientation is pre-ordained.

I have considerable respect for the British Medical Association and I have used its reports in many other contexts. However, it is the latest group to write in a rather generalised letter to Members of Parliament that the weight of scientific evidence is that homosexual or heterosexual orientation is decided long before the age of 16, and so it is wrong to focus on a potential change of orientation between 16 and 18.

There is a substantial body of scientific evidence from all over the world that argues otherwise. I shall quote one study from a British source. As recently as 1992 King and McDonald, writing in the *British Journal of Psychiatry*, outlined a detailed study carried out on perhaps the most appropriate group of people—identical twins. Across a sample of identical twins in which one of the twins was homosexual, they found that in just under one quarter of the pairs of twins, the other twin was also homosexual. Surely there could be no more disturbing example. If a homosexual twin's own identical twin—genetically absolutely identical—is not also homosexual, how can it possibly be genetically determined whether someone is homosexually or heterosexually inclined?

Dr. Julian Lewis: Does my hon. Friend accept that the reality is perhaps neither all one case nor all the other? Does he accept that there may be some people who are genetically predetermined—physiologically, one might say—to be homosexuals when they mature? Does he also accept that although that may be true in some cases, in other cases people's experiences as young boys can determine whether they change from potential heterosexuals to potential homosexuals? I hope that my hon. Friend is not committing himself to saying that it is all one way or all the other.

Mr. Brazier: My hon. Friend anticipates my next few sentences. He has expressed the idea so clearly that I shall not repeat it. I am not arguing that no one is ever genetically determined to be homosexual or heterosexual. We do not know, and we probably will not know for decades. However, there can be little doubt that for a significant proportion—how large we do not know—sexual orientation is determined in their teens.

What the scientists tell us is reinforced by ordinary experience. Most of us know someone who experienced homosexual activity in his teens—I did not, myself, but I know a number of people who did—and subsequently decided not to adopt a homosexual orientation. I can think of one case in which the person is now happily married.

Many of us will have received the same letters on the issue from former homosexuals who have ceased to be homosexuals. I remember one letter from 15 former homosexuals, one of whom had the courage to come along on the day of the previous vote and sit in the Public Gallery. The testimony that that group provided was clear. Those men were attracted into homosexuality during their late teens by older males, and they want the protection of the law to make it a criminal offence for that to continue. There are always those who will break any law on sexual matters, but let us at least provide that measure of protection for those who are between the age of 16 and the age of majority.

I shall leave the House with this thought: the word "discrimination" has been used a great deal. Discrimination refers to what someone is. In my view, it cannot be applied coherently to what someone does. It is clearly wrong to discriminate against someone because of his skin colour. If one discriminates against someone because he chooses to do something, surely the onus is on the other side to argue that that discrimination is wrong. If one is recruiting a driving instructor, for example, it would be right to refuse to recruit someone whose driving licence was covered with offences.

Those who say that it is discrimination to treat homosexual offences separately from heterosexual offences must rest their argument on the basis that homosexual acts are unavoidable. Obviously, the acts themselves are not unavoidable. I have argued that the orientation is not unavoidable in every case. It is right for us to give those aged between 16 and 18 a measure of legal protection to decide where they stand on the matter.

As the Archbishop of Canterbury and so many other religious leaders in this country—Cardinal Basil Hume, the chief rabbi and the previous chief rabbi—have argued, this is a matter that we should give young males a little longer to think about. I urge the House to vote against clause 1.

5.45 pm

Mr. Allan: I shall speak briefly in support of clause 1.

It worries me when I hear the opinion polls argument trotted out on one side or the other. If we believe that something is correct, we must decide whether we are prepared to take a lead and explain the background to our thinking, or whether we back off at the first hurdle because it seems that some people disagree.

I remind the House that my party secured huge polls of 70 to 80 per cent. in favour of our policy of putting more money into education, but that did not translate into our winning general elections. It merely shows that the people polled say that they are in favour of education. I suspect that in polls on the issue under discussion, people are expressing their views on homosexuality, not giving detailed consideration to any change in the law.

We are debating not what people do, but changes in the criminal law. We must not become over-ambitious about our influence. We cannot tell people what they should or should not do in their bedrooms. All we can decide is at what point we make them criminals for a particular act.

No one has ever stood up and said, "My Government made me a homosexual"—to which the standard response, "If I give the Cabinet the wool, will they make me one too?" might be appropriate. At times, the debate verges on the point of saying that the Government are making people homosexual or not making them homosexual. In fact, the Government are deciding the point at which the criminal law starts and ends. We must be clear about that.

The change that would be brought about by clause 1 is consistent with the religious principles that many people hold dear, and with rational ideas. The hon. Member for Faversham and Mid-Kent (Mr. Rowe) made an important speech in the previous debate in which he said that he could believe strongly that something was wrong on religious grounds, yet still not wish to make a criminal offence of it.

We must recognise the distinction between what we personally believe to be right or wrong—we all hold a multiplicity of views on that—and what we as a Parliament and as a nation consider should bring someone before a criminal court.

The rational grounds for supporting the change are bolstered by the support of many agencies that work with young people. We have heard the British Medical Association cited. Other organisations include the Royal College of Nursing. Barnados and the National Society for the Prevention of Cruelty to Children are unhappy with the existing criminal framework.

Mr. Gerald Howarth (Aldershot): Can the hon. Gentleman explain how the British Medical Association reconciles its support for the measure with the injunction by the National Blood Service that no man who has ever had anal intercourse should be allowed to give blood? Surely there is some contradiction there.

Mr. Allan: I do not believe that there is any contradiction. We are being tempted, as we were on Second Reading, to speak about issues such as disease. We are discussing the criminal law, which decides what is or is not criminal. It is not criminal for people over 16 to smoke, but they are undoubtedly causing themselves medical harm. The fact that a particular activity may cause medical harm is not a reason to criminalise a person who chooses to engage in that activity. The British Medical Association believes that the present criminalisation of 16 and 17-year-olds makes it difficult to give them the health advice which I should have thought the hon. Gentleman would want them to get.

Mr. John Townend (East Yorkshire): Why then do the Liberal Democrats support criminalising eating beef on the bone?

The Second Deputy Chairman: Order. I should be grateful if the hon. Member for Sheffield, Hallam (Mr. Allan) did not pursue that issue.

Mr. Allan: I am happy not to pursue incorrect interventions.

We should understand today that we are confining ourselves to a clause which effectively changes the boundary of the criminal law. It will have no significant effect in terms of people's behaviour: we are not creating any more or any fewer homosexuals in our community by dint of this change; we are simply freeing a section of our community, who have reached the age of 16 and 17, who believe themselves to be homosexuals, and who engage in homosexual acts, from the burden of the criminal law which, currently, on no rational grounds, places them under threat of punishment.

Contrary to an earlier comment by the hon. Member for New Forest, West (Mr. Swayne), the last thing that anyone in such a position needs is a short, sharp shock in a young offenders institution. The idea that it is somehow an appropriate form of advice and assistance to threaten any youngster exploring his sexuality with a criminal and custodial offence betrays a fundamental misunderstanding of how sexuality develops—a development which we should allow to continue beyond a sensible age of consent of 16. Clause 1 will provide a much more rational framework within which we can engage that debate.

Mr. Gerald Howarth: I was much impressed by the speech of my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler). He made a considered, intelligent and reasonable contribution on what is, for many of us, a difficult subject. Those of us who hold passionate views on the subject often find ourselves being pilloried. As my hon. Friend the Member for Canterbury (Mr. Brazier) said, we are often accused of prejudice and all the rest of it.

There is a point in being able, at least in the House, to speak out and articulate one's views. The point that my right hon. Friend the Member for Sutton Coldfield particularly mentioned, and on which we should home in, concerns the protection of young people. That has always been of great concern to Parliament, and not just this Parliament. In the previous century, Act of Parliament followed Act of Parliament regulating young people's terms of employment. That has not abated; it has continued through this century. Parliament has always been anxious to protect young people.

Clause 1 dramatically strips away protection for young boys. I do not know whether you, Mr. Lord, or any other hon. Members, saw a recent television report on child abuse in a children's home in north Wales. A feature of that broadcast was that the victims were often shown in silhouette. Those young people, now adults, told horrific stories about how they had been scarred for life by the abuse that they had suffered, in particular by older men. It may be that when they initially suffered that abuse they were well under the age of 16. I perfectly well understand that. Those hon. Members who did not see the programme should try to do so before they proceed too far in support of the Bill, and they should reconsider whether they are doing the right thing in supporting it.

[Mr. Gerald Howarth]

The clause will extend the scope for the abuse of young boys. On the 364th day of a 15-year-old boy's life he is entitled to the full protection of the law as devised by Parliament, but the following day, he will be fair game to what I believe the hon. Member for Oxford, West and Abingdon (Dr. Harris) calls a fruit. My hon. Friend the Member for Gainsborough (Mr. Leigh) might be able to support me on that.

Overnight, Parliament will decree that at one moment, at a minute before midnight, we protect such a boy, but two minutes later he will be out there on his own. The essential point made by my right hon. Friend the Member for Sutton Coldfield was that it is one thing to do that at the age of 18, two years on in a boy's life, but it is quite another thing to do it at the age of 16. We are confronted here with at least the possibility of giving a nod and a wink to those who are interested in abusing young men, and I fear that that is what will happen.

The hon. Member for Sheffield, Hallam (Mr. Allan) graciously allowed me to intervene on some medical aspects. I am surprised that he should be so contemptuous of a point that I raised. Of course, this has to do with the law; it would be fatuous to suggest otherwise. But the hon. Gentleman and those who support the measure have a lot to argue for here on the medical front. It is no good him and others simply trying to dismiss the point.

If the National Blood Authority believes, despite always being in pursuit of people who will give blood, that any man who has ever, even once, had anal intercourse, should under no circumstances give blood, is the House simply to ignore that and dismiss it in a cavalier fashion, as the hon. Gentleman did?

Mr. Andrew Robathan (Blaby): Is it not a fact that people who disagree with my hon. Friend dismiss that or ignore it because it does not fit in with their politically correct view of life?

Mr. Howarth: My hon. Friend is correct. It is interesting to see how any factual arguments are dismissed, as my hon. Friend suggests. Not only is the medical evidence dismissed, but the opinion polls are dismissed. Our opponents do not simply say, as most wise politicians would, that we should not rely on opinion polls but that they give a broad direction. In this case, the opinion polls point clearly to the fact that the British public do not like what Parliament and the hon. Member for Oxford, West and Abingdon and his friends are doing, and they have made that perfectly clear.

It is all very well to lead the public. At times, the previous Conservative Government enacted legislation which was not initially popular but which subsequently became so. The Minister of State may raise his eyebrows, but I shall not give a litany of the splendid measures enacted by that Government, the benefits of which are now hugely enjoyed by the public, because you, Mr. Lord, would chastise me if I did and, as I might wish to catch your eye on a future occasion, I need to be careful.

Homosexual activity, and certainly anal intercourse, increases the risk of HIV. I could put it in rather dramatic and crude terms, although I am not sure that I will, but the House is suggesting that it will protect boys up to the [illegible] of 16 from HIV in the sense that it will provide draconian sanctions—of course, Parliament cannot stop people from acting in defiance of the law—but the moment they reach their 16th birthday, Parliament is prepared to allow people to makes decisions that could lead to their contracting AIDS, which is a life-destroying disease.

6 pm

Mr. Borrow: Can the hon. Gentleman tie in the views that he has expressed with those expressed by those organisations concerned with the sexual health of young people? All those organisations have argued that 16 and 17-year-old males will be protected from the spread of AIDS and HIV because the reduction of the age of consent will be a safeguard for them—it will enable better sexual health advice to be given. The hon. Gentleman's point is completely fatuous.

Mr. Howarth: That is what we were told when the argument that the age of consent should be reduced from 21 to 18 was put to the House. We were told all the things that those wonderful organisations said and that a reduction would enable the proper advice to be given to children. In fact, that reduction has had the opposite effect. There has been an increase—I have the figures here, but I cannot lay my hands on them.

I say to the hon. Gentleman that, as far as I am concerned, any advice given by the Terrence Higgins Trust is 180 deg out. It is a most disreputable organisation and its literature is absolutely and utterly disgusting. When I was a Member of the House before, I campaigned to ensure that it did not receive a penny of public money. I believe that it now has to rely more on voluntary subscription and is not so readily able to dip into the taxpayer's pocket, in pursuit of producing its disgusting literature.

The protection of young people goes to the heart of what we are trying to achieve in wrestling with this matter. I refer to an article that appeared in *The Sunday Times* on 24 January, the day before the debate on Second Reading. It is by Melanie Phillips, who is an interesting and challenging commentator. She said of the Bill:

> "It's no longer just about gay sex. Remarkably, it implies that both gay and straight sex are proper activities for children. The government has got itself into this fix because it tried to buy off opposition by promising to protect 16 to 18-year-olds against sex with gay adults in a position of trust, like teachers or scoutmasters."

But not vicars, of course. Miss Phillips continues:

> "That itself was ludicrous, since it conceded that gay 16-year-olds were in effect still children to be protected from adult sex—but only sometimes."

That is the essence of the flaw in the case of those who argue for the measure and for the clause.

Those people are prepared to provide protection for children, but only in certain circumstances. The whole basis of their argument is therefore completely and utterly destroyed. If they felt that there was no need to protect children, they would not have acceded to the amendment tabled by the hon. Member for Bassetlaw (Mr. Ashton), which, at the time, I supported. In doing that, those people have given the game away—the measure puts children and young boys more at risk and makes them more vulnerable. That is the effect that those people will have to live with. The charge will lie heavily on the shoulders of those who support the measure.

I support what my hon. Friend the Member for Hertsmere (Mr. Clappison) said in his measured and interesting contribution. The contributions of those who support the measure have been permeated by the word "equality", and I want to deal with that in a moment. One of the arguments about equality, which was used during the debate on the amendments, is that, whereas young girls are not criminalised if they are abused under the age of 16, boys are criminalised. I welcome the fact that the Government are to consider that. My hon. Friend the Member for Hertsmere argued a good case, and removing the criminality may lead to the better protection of children.

Mr. Swayne: Does not my hon. Friend recognise, however, that there is a severe danger of a creeping reduction in the age of consent? As the Bill stands, a boy under 16 who explored his sexuality and had consensual homosexual sex with a boy over 16 would be breaking the law and could be punished. From the way the debate on amendment No. 2 went, it appears that the Minister will address that issue. It may be possible for young men under 16 to go ahead and involve themselves in that sort of consensual activity—whereupon, in effect, no age of consent will apply at all.

Mr. Howarth: My hon. Friend and I are absolutely united: we do not believe in the reduction of the age of consent to 16. We believe that 18 is the right age. His point is whether it is an additional deterrent to those under 16 that they would be committing an offence by engaging in such activity.

The honest answer to my hon. Friend is that I am not sure. I have listened to the debate and I think that my hon. Friend the Member for Hertsmere made an interesting point. It is certainly one that I am prepared to explore, but I want to explore it on the basis that I want to protect children. Those who support the measure want to make children more vulnerable. That is the difference, and we will have to return to it.

I do not want to take up too much more of the House's time, but I want to challenge this business of equality. The case of the Minister and those who support the measure is that, somehow, there is huge inequality and that—simply in the pursuit of equality and regardless of the facts, regardless of the medical evidence and regardless of the opinion polls—we have to lower the age of consent for boys from 18 to 16. That is not something that I accept.

I believe that there are differences between boys and girls. They grow up and mature at different ages. I also do not subscribe to the view that there is equality between heterosexual and homosexual intercourse. One is natural and ordained by the Almighty; the other is not. Those are fundamental and incontrovertible differences which render the whole argument about equality invalid from the start.

Moreover, if equality became the overriding principle in public policy, as is demanded by the gay rights groups, those who support the reduction of the age of consent would lay themselves open to the argument, with which they may agree, that there should be equality in everything else. Should there be equality in pensions? Should there be equality in terms of marriage, so that there could be homosexual marriages? That will be the next thing. Those who support the Bill have to answer this question: is this the end of the line or are they prepared to go further, as those in the militant gay rights outfits want? *[Interruption.]* Peter Tatchell is going off to Australia, which is good news.

Those who support the reduction of the age of consent, and argue that they are seeking to achieve equality, also have to answer the accusation that there are anomalies, even as the Bill stands. First, although the age of consent will be 16 for England, Wales and Scotland, it will 17 in Northern Ireland. Where is the equality there? Where is the consistency throughout the United Kingdom? Furthermore, anal intercourse with a 16-year-old girl will remain unlawful, but anal intercourse with a 16-year-old boy will become lawful.

Dr. Julian Lewis: If I understand my hon. Friend correctly, he thinks that anal intercourse with 16-year-old girls remains unlawful. The Bill permits anal intercourse with 16 and 17-year-old girls and boys, and exposes both equally to all the medical dangers of anal intercourse to which my hon. Friend has rightly drawn attention.

Mr. Howarth: I am grateful to my hon. Friend for that correction. As the Minister is not contradicting my hon. Friend, I must take it that he is absolutely right. If so, I thoroughly deplore that provision in the Bill. I am sorry that I was not aware of it.

Members of Parliament all have a grave responsibility to protect young people. I have outlined why this measure does not do that. The argument that we must strive for equality is not in itself sufficient justification for bringing about this momentous change, which does not command the support of the British people. It is out of step with public opinion and it threatens vulnerable boys. It will send out the wrong signals to a civilised society.

Mr. Robathan: There is always a danger in clause stand part debates that the arguments made on Second Reading are repeated. I shall not do that, but it must be said that this clause is the Bill. I am sorry to see the hon. Member for Bassetlaw (Mr. Ashton) leaving the Chamber, because he tabled some sensible clauses for addition to last year's Crime and Disorder Bill. The other clauses in this Bill are simply a fig leaf. The provision on abuse of trust is nonsense. This clause is what the Bill is all about.

I respect the view that homosexual and heterosexual acts are equal, although I do not agree with it. I sympathise with the view that the law should not be involved in personal relationships between two people, although I do not agree with that, either. One must then go on to determine at what stage the law comes into effect.

I wish to make just three points on this clause. As my hon. Friend the Member for Aldershot (Mr. Howarth) said, people may argue that heterosexual and homosexual acts are equal, but it is obvious to those who are willing to accept the evidence before

[Mr. Robathan]

their eyes that they are not. They are not equal biologically, physiologically or physically. They may be equal emotionally—I do not know—but otherwise they are not. Those who argue that such acts are equal deceive themselves. They are in thrall to their political correctness or to the single-issue pressure group, because it is simply not true and it is nonsense to pretend that it is. One might say that both acts should be allowed, but they are not equal.

My hon. Friend the Member for Aldershot referred to the National Blood Authority, which does not believe that homosexual and heterosexual intercourse are equal. Should I ever have to have a blood transfusion, I will be glad to know that it has taken that position.

My second point is one that I did not make on Second Reading. Some people have been praying in aid old martyrs to the cause of homosexual equality. Oscar Wilde has been much mentioned.

Mr. Boateng: The hon. Gentleman did mention him.

Mr. Robathan: Only in an intervention. Since Second Reading, I have read a little about Oscar Wilde. I have studied several biographies, which say much the same, including the sympathetic biography by Richard Ellman. We should be careful about romanticising Oscar Wilde, as the placing of a statue of him in the Strand last year did. Clearly, he was persecuted by the father of his male friend, Lord Alfred Douglas, the Earl of Rosebery. He wrote some fine plays and was quite a good poet. However, those who are concerned about paedophilia and sex tourism should know that Oscar Wilde was a paedophile and a sex tourist—*[Interruption.]* Labour Members shake their heads. Let them read the biography—[HON. MEMBERS: "We have."] I can quote from memory that Alfred and Oscar competed for Neapolitan boys in 1897. What is that if not paedophilia and sex tourism? Let us hear no more nonsense about Oscar Wilde being a martyr to homosexual equality.

6.15 pm

My third point is that the Bill is part of an agenda. It was once a standard joke that people who signed letters, "Yours disgustedly", were retired colonels from Tunbridge Wells. It shows how far this country has changed that on Monday I received a letter signed "Yours in disgust" from somebody to whom I shall refer as Peter from Liverpool. I will not embarrass him by naming him further. All Members of Parliament receive letters from nutters. They are usually heavily underlined, and that letter is underlined all over the place.

I understand that Peter Tatchell has said that the age of consent should be reduced to 14. That is a perfectly respectable position, although I do not agree with it in any circumstances.

Dr. Julian Lewis: It is not respectable at all.

Mr. Robathan: Well, one may hold that view, but I do not. The letter to which I referred, besides being insulting and disgusting, says:

> "We need to move forward and be positive about things and this means equality for all. Legalised marriage for same sex couples is long overdue and"—

those words are underlined—

> "other benefits already enjoyed by heterosexual couples need to be extended"—

those words, too, are underlined—

> "to gay couples. They include . . . adoption rights for same-sex couples, housing rights for same sex couples, pension rights for same sex couples.
>
> Thankfully, we have a government who are committed to the equalization of the heterosexual and homosexual ages of consent."

I do not want to labour the point, but this agenda has been pursued within and without the House by the homosexual lobby, which is a very small lobby. Most people do not wake up worrying about this issue and we know from opinion polls that they are opposed to the equalisation of the age of consent. They do not take a homophobic view, but they happen to think that the homosexual case is different—as it is. However, the homosexual lobby has pursued this agenda with single-minded determination and its sustained campaign is now coming to fruition.

The clause is supposed to be about child protection, but it is about a lack of child protection and about society's position on certain types of behaviour. It is the start, not the end, of the agenda. When the House passes it, as I fear it will, it should be aware of that.

Mr. Swayne: Ironically, the reason for rejecting the clause is precisely the same as that for protecting it from amendment No. 2 earlier this afternoon. As it now stands, the clause maintains an important discrimination—or rather, an important difference of treatment, if my hon. Friend the Member for Canterbury (Mr. Brazier) will forgive me—in that it treats differently girls under the age of 16 who explore their sexuality and homosexual boys under the age of 16 who seek to explore theirs. That is an important distinction.

However, from what the Minister said, it would appear that that "anomaly"—rather than important principle—may be dealt with on Report. It would therefore be much better to dispose of the entire clause as it now stands than see it amended in such a way.

The important principle of treating differently sexual activity by homosexuals and heterosexuals under the age of 16 is that the law should reinforce social mores and give the clear message that the two life styles are clearly different. It is not as if life is a supermarket and one can choose life styles that have moral equivalence in the same way as one can choose a breakfast cereal.

The problem is the extent to which a person has a choice in determining his sexual orientation, as my hon. Friend the Member for Canterbury (Mr. Brazier) said. I take the view of my hon. Friend the Member for New Forest, East (Dr. Lewis). On Second Reading, Labour Members said that experience clearly showed that the sexual orientation of many people was fixed and they had no role in determining it. I do not question that for a moment: I am sure that that is true.

However, many people are in a different boat. They experience unnatural sexual desires in their early teens, when they are approaching 16 and beyond, and they would otherwise outgrow those desires because of peer pressure, and are ashamed of them. The law has an important role in making it clear what society expects and what is proper and acceptable. If we take away those social mores—which this legislation does—people will be encouraged to explore those sexual desires rather than to repress them. They will be encouraged to adopt a life style that they may regret later on, whereas they may otherwise have led a blameless life.

It comes down to the question of what one regards as an acceptable life style. I make no apology for the fact that I believe that a homosexual life style is a much less commendable life style. It is a sterile way of life. It precludes giving life to future generations and having a normal, natural family life. The vacuum that is thereby created leads to promiscuity and instability. That in turn leads to the higher incidents of disease among homosexual men, and the state of the blood bank. The determination of the blood transfusion service not to take any blood from men who have had homosexual activity of a particular kind bears witness to that fact.

On Second Reading, we were told that those who take this view on the clause are akin to the slave traders, and that the debate has a moral significance and equivalence to the slavery debate. I suspect that it is rather different. The consequence of rejecting the clause would be to require boys aged 16 who are seeking to express physically their homosexual desires to hold off for two years. I do not regard that as a huge inconvenience, or a huge impediment equivalent to a life of slavery. On the contrary, I regard it as most expedient for their own good, because it may provide them with the liberty and the freedom to escape a life style that, to many, is cursed.

Mr. Townend: I approach the Bill from the point of view of child protection. I ask myself why anyone should support the clause. I do not believe that OutRage is particularly worried about 16 to 18-year-olds. I am even more cynical about its attitude. I believe that it wants the clause to go through to allow older men to prey on younger boys. One of the great problems of many homosexuals is that they proselytise: they want to bring more people into their society.

It is generally accepted that many youngsters, below and above the age of 16, experiment homosexually with other boys of the same age, especially at boys' boarding schools. In the past, they have been under pressure from society to rejoin normal life and become heterosexuals when they leave school. The overwhelming majority of them have done so, and have gone on to lead a normal life, to marry and to have children.

What worries me about the clause is that, at 17, those boys may be preyed on by older men and may get involved in homosexual society. It is a close-knit society; it has its own social life with its own pubs and clubs. Once they are involved in that society, it is difficult to get out of it.

The age of consent has been progressively reduced from 21 to 18 and now to 16. Will it be reduced to 14 next year? The debate is camouflaged with an enormous amount of political correctness. The word "equality" is used, but it is not equality. The Bill will put more young people at risk and a prey to evil older men.

If I had been in the House at the time, I would have voted to remove the criminality from homosexual acts between consenting adults. That is right, but if we go further we will put our young people in danger. Much nonsense is talked about political correctness and about society. We should discriminate in favour of marriage and a heterosexual society.

My hon. Friend the Member for Canterbury put many arguments against the clause, but he did not mention religion. It is important that the Christian religion bans homosexuality. I am worried that political correctness is creeping into some of the Churches and that they are giving up that original belief.

It will be an ill day for this country if we pass this clause. It will put our young people at risk. We see the terrible social implications for young girls who become pregnant before the age of 16. Given what is happening on television, on the internet and on videos, our children need more protection now than they ever did, so I shall vote against the clause.

Mr. Shaun Woodward (Witney): Yet again, we have heard arguments against the clause. Significantly, but perhaps not surprisingly, many of them have been made by Conservative Members. It is right that hon. Members should express their views, which I believe are deeply held and genuinely felt. However, clause 1 is not about sex tourists, paedophiles, the exoticism of Neapolitan boys or political correctness. It is about the ability of young men to enjoy the same freedom as young girls. It is about decriminalising activity between two consenting young adults. Under the current law, their crime is not that they have strong feelings, but that they happen to be homosexual.

My hon. Friend the Member for New Forest, West (Mr. Swayne) referred to sterile relationships. My wife and I have homosexual friends whose relationships are not sterile: they enjoy relationships that are as loving and caring as any between two people who happen to be heterosexual rather than homosexual. I think it monstrously unfair to suggest that relationships between two people of the same sex can only be sterile.

6.30 pm

Mr. Gerald Howarth: Can my hon. Friend tell us, on the basis of his research, the average length of such relationships? I understand that they tend not to last very long. Can my hon. Friend also tell us something about what happens within such relationships when an element of promiscuity is involved?

Mr. Woodward: I will not detain the Committee by making a detour from my speech. I merely say to my hon. Friend that, in my view, we do no favours to ourselves or anyone listening to the debate by describing relationships between people of the same sex as though they were inferior to relationships between heterosexuals.

Many heterosexuals could learn from the precautions—safer sex, and the prevention of transmission of HIV—that the homosexual community has introduced. I do not suggest that my hon. Friend takes such a view, but, if some people were not so bigoted and hypocritical, more heterosexual people would be alive today. They would understand that AIDS is not a homosexual disease, but an illness that passes from one person to another as a result of unsafe sexual practices.

Dr. Harris: I thank the hon. Gentleman for his wise words. I assure him that, although he may feel

[Dr. Harris]

outnumbered on the Conservative Benches, when the public are asked whether they think that homosexual behaviour is morally inferior to heterosexual behaviour, the more popular view is that it is not.

Mr. Woodward: I am grateful to the hon. Gentleman.

Tonight, we are discussing whether the present law is wrong. I believe that it is. We are discussing whether the present law is intolerant. I believe that it is. We are discussing whether it is without compassion. I believe that it is. We are also discussing whether we will allow two people of the same sex to enjoy a relationship that is loving, not criminal. That is why I think it right for Parliament to change the law tonight.

My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) described the protection of those aged between 16 and 18 as an acid test. He said that the Committee must be convinced that they would not be put at more risk. I ask him of what risk he speaks, and what evidence he has to support what he says Those who evaluate the risk—organisations that work in child protection, such as the National Society for the Prevention of Cruelty to Children, Barnardos, Childline, the Children's Society and countless others—tell us that the risk lies in leaving children unprotected, and that the current law does not protect them.

Those organisations believe that protection is the central issue. It is because of the work that they have done that I, at least, have decided that it is right to lower the age of consent. I ask hon. Members who believe that the law should be left as it stands whether they have asked those organisations for their evidence. I suspect—this is not a criticism, but an observation—that many of my hon. Friends have continued to peddle a view which, although they hold it deeply and passionately, is not based on evidence for which they could have asked.

Mr. Christopher Fraser (Mid-Dorset and North Poole): Does my hon. Friend accept that some homosexuals in the community believe that the age of consent for homosexuals should remain as it is?

Mr. Woodward: No doubt some members of the homosexual community believe that the age of consent should stay at 18, but the evidence from those involved in the argument about protection—the issue raised by my right hon. Friend the Member for Sutton Coldfield—suggests overwhelmingly that protection will be better served by a lowering of the age of consent. That is a different issue from that of the views of some homosexuals about the age at which they should be allowed to practise a loving relationship, or a relationship with someone else.

Mr. Brazier: I thank my hon. Friend for giving way again. He asked whether we had studied the evidence. I have worked extensively with the NSPCC on other matters, and have examined its evidence as well as that of others. I find evidence from such organisations unconvincing because of the overwhelming medical evidence from studies—most conducted abroad, although some have been conducted in this country—of the huge medical risks involved in the homosexual life style. An example is the incidence of venereal disease in the 50 states of America. There is an almost direct correlation between the incidence of venereal disease and the law on homosexuality, which varies hugely between states.

Mr. Woodward: As always, I am grateful to my hon. Friend for his intervention. I say merely that I will not set myself above the British Medical Association; I will rely on doctors here who tell us that we would protect young people better by changing the age of consent to 16.

My right hon. Friend the Member for Sutton Coldfield spoke of the duty to provide the maximum protection for young people. I could not agree more. It is because of that duty that I believe we should hear what the experts tell us, and then apply what we have heard and lower the age of consent. My right hon. Friend referred to the proposition that the public have a right to be heard. He made an important comparison, which was also made on Second Reading: he drew a parallel with the slave trade of the 18th century.

I raised that issue because, in that instance, the House had to debate a great moral issue and, ultimately, to take action that, at the time, probably did not have much public support. I believe that, when we look at the changes that were introduced post-Wolfenden, we will see that Parliament did the right thing, and that public opinion has moved in the direction in which Parliament moved when it changed the law.

My hon. Friend the Member for New Forest, East (Dr. Lewis) defended his position, rather eloquently, by saying that slavery involved adults and that this issue involved children. There is a danger in that argument, which is caused by double standards. The law allows a young man of 16 to be a father. What greater duty can any young man have than to be responsible for the life of a child?

Dr. Julian Lewis: Will my hon. Friend give way?

Mr. Woodward: No, I will not.

Anyone who has a child—I have four—knows about the burden of responsibility involved in bringing up children, but the law allows someone of 16 to do so.

My hon. Friends talk about the need to listen to the public. That means listening to parents, but it also means listening to children and young people. I was the deputy director of Childline for nearly 10 years. Before Childline existed, it was thought that sexual abuse did not happen very much, that it probably happened among the working classes, and that, by and large, it was not a great problem. That was a serious mistake, which resulted from only one group of the public being listened to—adults and, from time to time, the unfortunate children who ended up in court having to be witnesses in cases against those who had sexually abused them. Childline brought about a fundamental change. It brought about the recognition that children and young people have a right to be heard.

It would be grossly impertinent for the Committee to suggest that the will of a heterosexual majority should determine that we do not listen to the voices of young men and women who happen to be in a minority because they are homosexual. Childline listened to those young people, and has done a great deal to change the environment in which sexual abuse has been able to operate. That brings me to the importance of listening to organisations that work with young people. They tell us that the current law is wrong, because they listen to those young people. They tell us that the law fails to protect; they tell us that, in some cases, it hurts; and they tell us that it leads some young people who are desperate to take their own lives. We have a duty in the House to listen to that evidence, too—to listen not only to the evidence of our prejudices and of the majority heterosexual community, but to those young people and the organisations that work with them.

My hon. Friend the Member for Canterbury (Mr. Brazier) asked us to focus on whether homosexuality is a matter of choice, or is pre-ordained. There is no question but that that is an interesting scientific debate, which will go on and on and runs the risk of leading the House into a cul de sac for one simple reason. The issue in the clause is not what makes people homosexual. It is whether someone who is recognised by the law as old enough legally to father a child and to take the responsibility of parenthood should, because they have a homosexual relationship, run the risk of a criminal prosecution.

For socialists, it is an issue of equality and I respect that, but a Conservative should ask: why should we deny a homosexual young male his freedom when we are prepared to give it to a young woman? Why, because he practises his sexuality, often in a loving relationship, with someone of the same sex, should that be criminalised? Crucially, where is the evidence that supports the argument that young people are better protected by criminalising the activities of their early adult years?

Mr. Robathan: My hon. Friend is making a powerful speech, but a lot of it is based on assumptions with which I do not agree. He talks about 16-year-olds committing suicide. I do not know how many have done so, but the issue for most Conserative Members—and, indeed, for Members throughout the House—who oppose the clause is not about two 16-year-old boys; it is about older men and 16 and 17-year-old boys. That is a fact. I do not mind what two 16-year-old boys get up to. What I am worried about is 40-year-old men and 16-year-old boys.

Mr. Woodward: I will come to the points that my hon. Friend makes in a moment or two.

I do not dispute the fact that some young people who have a homosexual relationship at 17 may go on to have relationships with the opposite sex in later years. That is a matter for them. In so doing, they will enjoy the wonderful experience of having children, but the majority who enjoy a heterosexual life must look closely in their hearts at the consequence of imposing their chosen way of life on those for whom that is either not possible or not desirable. What right does one group, albeit a majority, have to make a misery and a criminal offence of what may be a loving, caring relationship between two people who just happen to be of the same sex? I cannot find it intellectually right and I cannot find it in my heart to be right. It is not compassionate, tolerant, just or based on evidence.

My hon. Friend the Member for Aldershot (Mr. Howarth) spoke about passion. Passion is an important friend for the politician, but it is also a dangerous friend. It can blind us to the arguments and the evidence and, indeed, lead us to ignore it.

My hon. Friend said that the measure would expand the scope for abuse of young boys. We are not talking of young boys. We are talking of people whom the law allows legally to father a child and to take the responsibility of parenthood. We are talking of young men. We may be talking of abuse, but I remind my hon. Friend that if we want to deal with abuse, we should not be talking about the relationship between older men and younger boys. By and large, the majority of abuse is not committed by older men on younger boys. It is committed by randy old men in various areas throughout the country who chase after young girls. I note that my hon. Friend the Member for Blaby (Mr. Robathan) is not proposing legislation or amendments to the Bill to rectify that.

The current law makes it harder for young men who are abused. It is important to recognise abuse. The current law makes it harder for young men who are abused between the ages of 16 and 18 because, in reporting their abuse, they render themselves open to prosecution.

6.45 pm

My hon. Friend the Member for Aldershot had words to say about the Terrence Higgins Trust. I disagree profoundly with him. His words were injudicious.

Mr. Gerald Howarth: Will my hon. Friend give way?

Mr. Woodward: I will give way in a moment. My hon. Friend has had his say on the trust.

The work that the trust, Crusaid, Stonewall and other organisations have done has saved lives and encouraged people to enjoy loving, caring relationships. It does not reflect well on the House to undermine their work not only to save people who have HIV, to help them to lead longer and better lives and to ensure that they do not spread that disease, but, crucially, to stop people getting the illness in the first place. If only the heterosexual community had been as sensible and had raised the money to set up such organisations, far fewer heterosexual people would have HIV and AIDS. As a result of the work of organisations such as the Terrence Higgins Trust, fewer homosexuals have the disease.

My hon. Friends the Members for East Yorkshire (Mr. Townend) and for New Forest, West (Mr. Swayne) talked of the Bill being the thin end of the wedge and said that efforts would be made to lower the age of consent even further. No hon. Member makes the case for lowering the age of consent even further. That is not part of clause 1. It is, in itself, a valid discussion. I personally would not support—through the Bill or any other way—lowering for either heterosexuals or homosexuals the age of consent below 16, but that is not relevant to the clause or the Bill. It is yet another distraction.

I have received a number of letters from the public on the Bill, particularly following the previous debate. There is one that I should like briefly to quote. I do so for one simple reason. When I worked in television and was editor of "That's Life", we found that, by and large, if we went to the people who were affected—the people who suffer because of the way in which the law currently stands—we stood to learn a lot.

The letter tells me that it is far from the case that homosexual people enjoy only sterile relationships. It does not come from a lobby group. It is not the expression

[Mr. Woodward]

of a militant individual. It is from a member of our society, our community, our country who happens to be homosexual. He says:

> "As a gay man now in my late 30s I can still remember how terrified and isolated I felt about my burgeoning sexuality during my teenage years. My discovery from the dictionary that my feelings could be defined as homosexuality and later that such activity had been decriminalised from the age of 21 gave me some hope that I was not totally alone in the world. However the '67 legislation, ground breaking though it was then, felt more like the grudging acceptance of an adult male perversion than any positive affirmation of the adult I was to become. It was meant to. Those that meant it then and those that wish to perpetuate the status quo now have excluded us from society and then heaped criticism upon us for being unconventional. We are forced into life styles with which we are not always happy and then judged for it.
>
> It is often said . . . that homosexuality breaks down the nuclear family. It is prejudice against homosexuality which does that. We are products of the nuclear family and many of us wish to remain within its bounds of love and protection but are prevented from doing so by the perpetuation of the atmosphere of hate and prejudice by these people."

He goes on to say that, in 1978, at the age of 18, he told his parents of his sexuality:

> "I thank God that my parents fought their fears and prejudices and I remain a loved and loving son, brother, uncle and godfather. My family would prefer I were heterosexual but they have totally accepted who I am and I remain as active a member of my family as anyone else within it. I know very many others for whom the same is not true. The fear and prejudice of their families strengthened by that of society and enshrined in the law has resulted in their total exclusion from the family circle. Many others cannot even bear to tell their parents. Their self esteem is so low and their fear of rejection so great that they cannot begin to imagine that the people who should love them most could ever accept them.
>
> They leave home and disappear into self imposed exile for ever leaving behind an often bewildered and shattered family . . . Young families are often blown apart in such ways with damaging consequences for the adult, the children, the wider families and society as a whole."

That letter says more than anything else about why we should ensure that the clause stands part of the Bill. The pain and suffering of younger people mean that we should listen to them and that we are duty bound do something about it.

This is an opportunity for Parliament to do something good. It may not have majority support in the country at the moment, but we should remember that we are in a majority heterosexual community. We are not inviting people, as a consequence of the Bill, to take up homosexual activities; we are simply ensuring that certain individuals can have loving, caring relationships with people who happen to be of the same sex. There may be some present who do not like it and that is their prerogative, but the House has no right to discriminate because there is no evidence to suggest that young people will be better protected if we leave the law as it is.

I do not believe that changing the law will send the wrong signals to a civilised society. In fact, Parliament doing the good thing tonight will help to civilise our society. I hope that hon. Members will choose to do that rather than leave in place a law that is patently, evidently and fundamentally unjust.

Ann Keen (Brentford and Isleworth): I am honoured to follow the hon. Member for Witney (Mr. Woodward). Like many of my hon. Friends, I totally associate myself with his entire speech. However, it is also important to put on record the manner and style of speeches by Opposition Members. Some expressed concern, but others showed blatant prejudice.

We must take into account the important work of organisations that care for young people, and have taken the Bill and the original amendment very seriously. The British Medical Association and my own profession of nursing have been involved in serious work for a long time, bringing together all the organisations that care for young people. They are now asking our democratically elected Parliament to take their views seriously. On another occasion, I should like to ask Opposition Members why they feel that they have more wisdom than those organisations.

Mr. Gerald Howarth: Will the hon. Lady give way?

Ann Keen: No. I am making only a short speech. The hon. Gentleman has already contributed to the debate.

Families involved with all young people in our community are equally important. Last week, I had the pleasure of meeting mothers, fathers, grandmothers and grandfathers of lesbian and gay young people. In addition to coming to the House, they have also put their case to the wider media—on television and radio and in the newspapers—and for the first time they are being heard. There is a great deal of ignorance which breeds fear, and many brave people have been putting the case not just for equality, but for humanity. I fear that tonight, this place has let them down, but I am pleased to associate myself with the hon. Members who have stood shoulder to shoulder and said that it is now time for justice, equality, humanity, safety and the protection of our young people.

Dr. Julian Lewis: I am delighted to follow the last two speakers. Before they spoke, it appeared manifest that the entire debate on clause stand part would be conducted solely by Opposition Members and from one point of view. I am on the Standing Committee dealing with the other clause in the Bill, and I have noticed a strange phenomenon that has been repeated here tonight. Certain hon. Members who were very vociferous on 25 January when we debated the Bill on Second Reading have been sitting as quietly as mice. The hon. Member for Bassetlaw (Mr. Ashton) spoke on clause 2 in Standing Committee—there was just a single speech from the main man on the Labour Benches—and this evening, we have heard one Labour speech—from the main woman. I find that orchestration somewhat unsettling in what should be a debate on an issue of conscience and a free vote.

I have considerable experience of the way in which pressure groups operate and I have the impression that two pressure groups are operating tonight—an external pressure group in the form of the gay lobby and an internal pressure group in the form of the Government Whips, who seem to have carved a deal on the way in which Labour Members must conduct themselves in these proceedings.

I shall not be as eloquent as my hon. Friend the Member for Witney (Mr. Woodward) because I am not reading out my speech word for word, but I noticed that at the end of the debate on 25 January, the hon. Member for Harrow, East (Mr. McNulty) was kind enough to refer to me in my absence. He made various criticisms and imputed many motivations to my speech. Having made those remarks he was gentlemanly enough to observe:

> "When I see him I shall remind him of what I have just said. He needs to be told and have that put in his face."—[*Official Report*, 25 January 1999; Vol.324, c.103.]

Strangely enough, when we met later that evening, the hon. Gentleman did nothing of the sort. In fact, he was his usual charming, debonair and carefree self.

Mr. Tony McNulty (Harrow, East): When I saw the hon. Gentleman subsequently in the Corridors beyond the Chamber, the thought of speaking to him turned my stomach.

Dr. Lewis: That is just one more broken Labour promise.

In explaining why I oppose the clause, it is necessary to spell out, as I did at the beginning of my speech on 25 January, that what concerns me is not homosexuality, but a dangerous practice that carries a high medical risk—the practice of anal sex. Time and again throughout the debate on Second Reading, I and other hon. Members challenged those on the other side of the argument—including my hon. Friend the Member for Witney—to explain, once and for all and quite clearly, that if the enormously higher incidence of HIV infection and AIDS in our male homosexual community in Britain had not been caused primarily by the practice of anal sex, what had caused it. Answer came there none.

During today's debate, I and others have made it clear once again that our objections have nothing to do with the rights of adults. If my hon. Friend the Member for Witney had spoken in favour of a minority of repressed adults, I would have cheered him to the rafters, but he spoke in favour of allowing the act of buggery to be committed against young boys and girls of 16 and 17, when that act and the sharing of needles by drug addicts have resulted in a massively increased danger of contracting a deadly disease.

Dr. Harris: I feel that the hon. Gentleman is on another planet. Even if one accepts that certain acts carry greater risks when they are unprotected, in Britain we do not legislate against actions by private individuals that may be dangerous to their health. We do not legislate against heterosexual intercourse, which also can transmit disease, or against childbirth, although it can be dangerous. We criminalise drug use not because of the physical risks of human immune deficiency virus transmission, but for a series of other good reasons. So the hon. Gentleman has missed the point.

7 pm

Dr. Lewis: I was happy to give way to the hon. Gentleman, and shall be happy to do so again if he will answer a question. Does he approve of legalising prostitution and brothels on the basis that doing so will help to protect people's health, as they will be better supervised and the sex will be safer? Would he care to intervene on that point, too?

Dr. Harris: I can only barely bother to get up to intervene on the point, which deals with an entirely separate matter. If a matter affects only private individuals and hurts no one else—which is what the Committee is judging for the age group we are considering—it should not be a matter in which the state should intervene. Prostitution and brothels are thought to affect society as a whole, and not only private individuals, as in the case we are considering.

Dr. Lewis: The hon. Gentleman was absolutely truthful when he said that I am on a different planet from the other people in this Chamber, whom he represents. But I think that they are on a different planet from the vast majority of British parents, who are worried about their 16 and 17-year-old children—I repeat, children—who are being allowed to engage in a sexual act that will put their health, perhaps fatally, at risk.

I should like briefly to say a word about whether orientation is preordained, and hope that my words will faintly shine a bit of a spotlight on to my own motivations in opposing the provision. Although I know that Labour Members would like to portray me as some sort of secret hater of gays who does not have the courage to say so—*[Interruption.]* Yes, that is what they would like to do. I tell both Labour Members and my hon. Friends that my first experience of meeting a young boy who was gay was in my grammar school in Swansea. I remember his name and the great pity that I felt for him, because of the way in which—*[Interruption.]* Before hon. Members laugh, let them at least hear the story.

I felt sorry for the boy because of the way in which he was persecuted and shunned by the other pupils. I also remember asking him how it was that he got into that orientation. He did not turn around and say to me that it was a result of the fact that he had always known that he had those feelings. He told me that it was a result of the fact that an older youth had taken him to a bedroom, tied him to a bed and interfered with him. *[Interruption.]* I am sorry to see that a Labour Member finds this so hilarious. Would she care to intervene and tell me what is so funny about it? I thought that it was a personal tragedy. Would she care to tell me? Evidently not.

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman: the debate should flow as fluently as possible. However, I should tell the Committee that every Member is entitled to express his or her point of view and be listened to in the Committee. There are deeply held, opposite views on the question. They should all be heard in the Committee.

Dr. Lewis: I am particularly grateful to you, Sir Alan, for that ruling, and was appalled by that type of reaction. I still feel sorry for that lad. He was a very nice lad, and I feel sorry for what he went through. I wish that he had not had to go through it. However, in my opinion—and I think also in his opinion—there was no question of his having been born a homosexual.

I should point out also that, in the attitude that one can have on the matters we are debating, it is possible to have, as I have, homosexual friends. Probably my closest female friend went through a period of a lesbian relationship. I was not happy that she went through that period, and was happy that she came out of it. Nevertheless, I should tell hon. Members who doubt my sincerity in the matter that, had she never come out of it,

[Dr. Lewis]

she would have remained my closest female friend. I would go to the ends of the earth for her, and I think that she would do the same for me.

Therefore, when I express such considerations to the Committee, I do so not out of some hidden homophobia, but because the measure would legalise the seduction by people who are adults of people who are children into a physical act—the act of buggery—whether those children are male or female, putting their lives at risk.

Everything in this debate has been expressed on the basis of equality. There is an apparent slavishness to the principle of equality. Regardless of what else happens, people who support lowering the age of consent tell us that it must be done in the cause of equality. Such a position comes close to being—I am not allowed to say hypocritical—insincere.

If there were no way in which the homosexual age of consent could be lowered to 16—if the choice, therefore, were between keeping the heterosexual age of consent at 16 and keeping the homosexual age of consent at 18, or raising the heterosexual age of consent to 18—I would bet that all those hon. Members who have been prating about the supremacy of equality would sing a different tune. To them, it would be more important to preserve the differential as long as it favoured a lower age of consent for some form sexual activity.

As I said in the debate on Second Reading, it is a mark of a civilised society that it raises ages of consent as it gets more civilised. The fact that the age of consent for heterosexual sex is lower than the age of consent for homosexual sex is not a sign that the higher age should be adjusted to the lower age. If equality reigns supreme, adjust the lower age to the higher age. But let us have enough of an insincere, dangerous and potentially fatal recommendation.

Mr. Edward Leigh (Gainsborough): I suspect that there is a sense of exhaustion in the debate, as this is the third time that we have debated the issue. The first time was last year, at the Committee stage of the Crime and Disorder Act 1998; the second time was in the debate on this Bill's Second Reading; and the third is today. I have no intention of repeating what I said in the Second Reading debate, but shall content myself with making one point, on the protection of children.

I should have hoped—the whole Committee should hope, as it is a rather sensitive matter—that, by the end of this week, we could stop arguing about the issue. However, I fear that the Bill's passage will not be the end of it, as those who promoted the Bill will come back again and again—until they have achieved full equality between heterosexual and homosexual practice, achieved the repeal of clause 28 and ensured that both practices are taught, with equal validity, in our schools. I fear that this is only the start of the debate. However, hon. Members should be concerned primarily not with ourselves, but with the protection of young people—including 16 and 17-year-old children, and particularly very young men.

The Home Office recently published a report on sexual offences against children—to which the Minister of State, Home Office provided a foreword, and which I quoted yesterday in Standing Committee. Unsurprisingly, the report found that only 5 per cent. of sexual offences against children were committed by women. The report makes it clear that boys and girls are much more at risk from men than from women. However, we did not need a report to tell us that. Whatever people might say about equality between the sexes, there is no equality between men and women on that issue. We are talking almost exclusively about men when we talk about abusers.

The Home Office report tells us that most abusers abuse girls. That is what one would expect, as the population is overwhelmingly heterosexual. The report finds that 60 to 70 per cent. of child molesters abuse girls. The implication of the Minister's remarks in Committee was that those who believe that boys are at risk from homosexual men need not worry because of the statistics. However, the Home Office says that 20 to 33 per cent. of abusers target only boys. That is a staggeringly high proportion. I accept that some of those who target boys will be women, but the report points out that almost all abusers are men. Up to a third of abusers target boys.

No one has ever suggested that a third of men are homosexual. Academic studies vary, but the Office for National Statistics has said that 1 per cent. of men say that they have only ever had homosexual sex. The supporters of the Bill may believe that a figure of 1 per cent. of the population being homosexual is far too low, but even if that were completely wrong—even if it were 2 or 3 per cent.—how could we have a situation where 1 per cent., 2 per cent. or slightly more men are homosexual, but where they apparently make up more than 30 per cent. of child molesters? This is not prejudice—that is taken from the Home Office report.

Suppose the exact figure for abuse was 15 per cent. That would mean that boys were 15 times more likely to be abused by a man than a woman. If the Bill is enacted, we will be ensuring that more boys are abused and damaged for life.

Mr. Woodward: I remind my hon. Friend that we are talking about relationships between consenting adults. I welcome the fact that my hon. Friend has looked for evidence, but the Bill is dealing with relationships between two consenting people. Child abuse, the abuse of young people, indecent assault or rape will remain crimes, and are not relevant to the Bill.

Mr. Leigh: I am afraid that they are relevant. My hon. Friend made a long and passionate speech, the purport of which appeared to be that 16-year-olds were adults. They may be adults in bodily form, but in many ways—emotionally and psychologically—they are still children. In many respects, they are still children legally. They cannot vote and they cannot be asked to die for their country. If the Committee is primarily concerned with protecting boys between the ages of 16 and 18—as it should be—it is taking a retrograde step tonight.

The abuse of trust proposals in the Bill are only a fig leaf because they will not apply to youth workers, vicars and occasional supply teachers—all those people who will come into contact with young people. That is my concern.

In conclusion, I accept that, in this world, we are all different. Many people are homosexual, and we recognise that. It would be lovely if we were all Conservatives and heterosexuals. It would be lovely if there were no crime or divorce. However, we must show understanding and compassion to those who do not share our views or way of life—including those who are homosexual. We reject homophobia, hatred and prejudice as passionately as my hon. Friend the Member for Witney (Mr. Woodward). However, we must believe that Parliament has a right and a duty to stand up for something that is right and pure.

We are not just talking about gratification; sex is not about that. Sex is about raising children in the context of a loving family. So much of the debate on homosexuality is fundamentally sterile in that sense. It is not just that it can be an unhealthy activity; it is not just that it is an offence against many people's religious convictions. We believe that we are sending tonight the wrong message to a society which, again and again in opinion polls, has said that it does not approve of what we are doing. I hope that we will vote against the clause and the Bill in increased numbers.

7.15 pm

Dr. Harris: I rise briefly to say that I firmly support the clause. I wish to respond to one of the several points made by Conservative Members to which I was tempted to respond. The allegation that homosexuals are sex offenders in the main or in the minority cannot be sustained. As the hon. Member for Witney (Mr. Woodward) said, it is not the case that when talking about consenting acts, we are talking somehow about child abuse or sexual abuse. It may well be that a large proportion, but not a majority, of offences are directed against boys, but those are not by homosexuals necessarily. It is not a heterosexual act or a homosexual act to abuse someone—it is an abusive act. The distinction must be recognised.

Although I warmly welcome the clause—and thank the Government for proposing it—it would make it much easier to defend the gay community against bigoted allegations of child abuse and sex abuse if amendments to sex offenders legislation could be made, within the Bill, to ensure that those offences that are no longer criminal are removed from the legislation on sex offenders requiring registration. I hope that the Minister will think again on that subject, so that, on Third Reading, we can have a Bill—including this clause—that is complete and fair.

Mr. Clappison: As has been made abundantly clear, this matter will be the subject of a free vote, and I welcome the opportunity to make my personal contribution to the debate. I do so with a certain caution, because it is not in my nature to lecture people on how they should run their lives. I always exercise great caution in making such statements. However, on a subject of great public importance such as this, we owe it to our constituents to set out our views.

I have the opportunity to set out my views against the background of what I believe has been a very good debate. On such a subject, we owe it to our constituents to listen to the views of others with a certain amount of tolerance, and to listen to both sides of the argument. We have heard good speeches on both sides of the argument from both sides of the House. That has been of benefit. However, we must exercise a certain tolerance when listening to the views of others.

As my hon. Friend the Member for New Forest, East (Dr. Lewis) observed, we have heard only one speech from the Labour Benches. It was a good, pertinent and passionate speech from the hon. Member for Brentford and Isleworth (Ann Keen)—albeit a short one—although I did not agree with it. She serves on the Committee, and I had been looking forward to hearing rather more of the views of other Labour Members who serve on the Committee this evening. That pleasure has been further delayed for me.

I did not agree with the hon. Member for Sheffield, Hallam (Mr. Allan), but he has been consistent and he made his remarks forcefully. However, there was a certain element of self-destruction in his exchange with his hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris). The hon. Member for Hallam got it completely wrong when he dismissed the opinion poll evidence which shows that the majority of the public are opposed to a reduction of the age of consent by saying that, in opinion polls, people are expressing their view about homosexuality, not the age of consent. However, the hon. Member for Oxford, West and Abingdon said that all the evidence is that the public do not think that homosexuals are inferior. I agree with that, but it cannot be reconciled with the statement from the hon. Member for Hallam, who got it wrong. The public do not think that homosexuals are inferior, but they have a sense of unease about reducing the age of consent still further, from 18 to 16. We have to exercise our judgment on the age at which the criminal law should apply.

Mr. Alex Salmond (Banff and Buchan): I wonder whether it is altogether wise at present for a Conservative Front Bencher to rest his case on opinion polls.

Mr. Clappison: I am not sure whether the hon. Gentleman has been with us throughout the debate, but several contributions have dealt with public opinion and we should take into account what the public have to say on this issue. This is not an occasion for party political points, and he has done the Committee no service by introducing such a note.

The hon. Member for Hallam spoke about criminalising young people, but he must accept that we are being called on to exercise a judgment. The criminal law has to apply at a certain age, and I believe that that should be 18 rather than 16.

We have heard many excellent speeches from Opposition Members on both sides of the argument. I agree entirely with my hon. Friend the Member for Aldershot (Mr. Howarth), who made an excellent speech, that the protection of young people should be of great concern and should go to the heart of what we are trying to do. He made the fair point that the clause takes away a certain amount of protection for 16 and 17-year-olds. We are trying, through our endeavours in the Standing Committee, to give young people protection from those who would abuse a position of trust. We have found that an extremely difficult task, and there may be more problems, but even those who support the clause must accept that it weakens the protection that is available.

My hon. Friend the Member for Blaby (Mr. Robathan) expressed characteristically honest and forceful views. He mentioned Oscar Wilde, and I shall certainly read with great interest the biography to which he referred. My hon. Friend the Member for New Forest, West (Mr. Swayne) was equally honest when he spoke about the need to protect young people and children. I agreed with him

[Mr. Clappison]

when he referred to the innocence of youth and childhood. Whatever the views of "Blue Peter" presenters these days, I seek to protect that innocence as much as possible. My hon. Friend the Member for East Yorkshire (Mr. Townend) expressed some forceful views that reflected a substantial element of public opinion.

I do not agree with the conclusions of my hon. Friend the Member for Witney (Mr. Woodward), but I recognise that he made an excellent, powerful speech which contained a great deal of reason and emotion. He has clearly done a great deal of research and he made a very considered speech. He was right to bring the evidence that he found to our attention. He rightly referred to the importance of the Wolfenden report and the changes that it brought about, ushering in the age of tolerance, but I believe, personally, that he would do well to reflect on what Wolfenden said about the age of consent.

Wolfenden fixed the age of consent at 21. The report also considered 16 and 18, and some members of the committee were in favour of 18, but the report made it very clear that people of 16 were too young and that young men were not mature enough at that age to engage in homosexual activity. I noted with great interest that, last June, the sole surviving member of the Wolfenden committee, Lord Mishcon, returned to the subject in an excellent debate in another place and once again said that 18, not 16, was the proper age. He still thought that, even in today's society, 16 was too young.

My hon. Friend the Member for Witney made a moving speech, quoting a letter about the pain and suffering experienced by someone as a result of his homosexuality. It is right to use such moving material and there is no doubt that the subject causes deep emotion and heartache in families, but all that feeling will not be altered one scrap by a reduction in the age of consent from 18 to 16. A person in that situation will still find it painful and harrowing to have to talk to members of his family on the subject, and families will still have problems coming to terms with it. Homosexual acts should not be illegal, but we should be extremely careful about the age of consent.

The letter illustrated the fact, also referred to by Wolfenden, that we are talking about a decision or experience for young people that will have a profound effect on them for the rest of their life. They should be protected from that decision until an appropriate age of maturity, and 16 is simply too young, as my hon. Friends the Members for New Forest, East (Dr. Lewis) and for Gainsborough (Mr. Leigh) said.

The majority of public opinion shares that view. People do not, by and large, dislike or fear homosexuals, although there may be some who are prejudiced and take that view. The large majority extend toleration and understanding to people of a homosexual disposition, but they still feel a deep sense of unease at the prospect of an age of consent at 16 rather than 18. They feel that, even though young people may grow up faster today, 16-year-olds are still far too young and need the protection of the law until they are 18. We must examine our consciences and ask whether we are doing right by our constituents and the young people of this country.

Mr. Boateng: This has been a long and wide-ranging debate. It has in many ways resembled a Second Reading debate, but, unlike the debate that we had at that stage, it has not always done us much credit. Bishops have been prayed in aid, Oscar Wilde has been traduced and every orifice has been explored. I do not intend to go down that path.

We have to recognise that this clause stand part debate is about one thing, and one thing only—the equalisation of the age of consent. It is not about the protection of children and vulnerable people. That is something which we have explored upstairs in Committee, and it is something to which the House rightly gave considerable attention on Second Reading and to which it will return on Report. We are talking about equalisation.

The points made by the hon. Member for Canterbury (Mr. Brazier) and the hon. and learned Member for Harborough (Mr. Garnier) deserve attention. They spoke about the welfare of children and the protection of young people. The question that those who support them have not answered is how it serves a 16 or 17-year-old boy to criminalise him for the expression of his sexuality.

7.30 pm

Dr. Julian Lewis *rose—*

Mr. Boateng: No, I shall not give way.

That is the question that they have not been able to answer.

Dr. Lewis: Answer it now.

Mr. Boateng: The hon. Gentleman has had his say. They have not been able to answer that question because they must surely know that such a young person cannot be protected if he lives his life in fear, or if he, his doctor, the school nurse and all those who might have be concerned for his welfare are inhibited in meeting his needs by the fact that he stands in jeopardy before the criminal law. That is the point that we have been debating in our consideration of the Bill, and it is to that point that all hon. Members will need to turn their mind when they come to vote.

Mr. Brazier *rose—*

Mr. Boateng: I shall give way in due course.

It is a measure on which all Members will have an opportunity to exercise their vote freely. It is a measure to which all hon. Members will have to apply their judgment, and it is the judgment of those of us who support the clause that young people are better protected in the circumstances that we have outlined—by their being enabled freely to express their sexuality without fear of the intervention of the criminal law—than by being criminalised at the age of 16 and 17.

Mr. Brazier: I know that the Minister is deeply concerned about child abuse and the welfare of young people, but he slightly traduces my hon. and learned Friend the Member for Harborough (Mr. Garnier) and me by suggesting that our focus is on criminalising young people. The issue is whether it is right for an older man to be able to introduce a 16 or 17-year-old to a homosexual life style to which he may be transitorily attracted.

Mr. Boateng: The issue is whether it is right to discriminate in those circumstances between heterosexual and homosexual acts. The concern of those of us who support the clause is not to do anything that would encourage 16 or 17-year-olds to have sex. That is not something which anyone seeks to encourage. Clearly, childhood needs to be protected and, where innocence can be protected, it should be. However, we do those young people no service by pretending that anything we do in relation to the criminal law will make one jot of difference to whether or not they engage in sexual activity. It will not. Young people of 16 and 17 will engage in sexual activity. Do we do them any favours by criminalising their actions? The view of those of us who support the clause is that we do no such thing.

The clause is not to be viewed in the way that those who oppose it have on occasions described it. The clause is not a surrender to teenage carnality; it is, however, about recognising the importance of fairness and equality and about making sure, as we have elsewhere in the Bill, that those who have a special relationship of trust with 16 and 17-year-olds, with children and young people, should respect that trust or should face the full sanction of the criminal law. However, that is separate from the matters that we are considering, and hon. Members do no favours to anyone by merging the two. They are quite distinct.

To suggest that people of a homosexual orientation are somehow more likely than not to be predators is to traduce people with a homosexual orientation. It is also to misunderstand and misinterpret all the evidence available to us about the incidence of abuse of children, which shows clearly and beyond any doubt that it is not possible to say that homosexuals are more likely than heterosexuals to abuse children. The message that we have to send out is that abuse, whether heterosexual or homosexual, is abuse and that it will result in the full weight of the law being brought to bear on those who perpetrate it.

It is quite wrong to suggest that those who will tonight vote for equality are somehow soft on child abuse. That is a wicked calumny, and does those Opposition Members who make that suggestion no favours. It is equally wrong to suggest that those who vote in favour of equality do so because they are the prisoners of a homosexual agenda, and that their next agenda will be geared towards homosexual marriage or the lowering still further of the age of consent. Let me make it absolutely clear that the Government will have no truck with any suggestion that the homosexual or heterosexual age of consent should be lowered to 14. That is simply not part of our agenda or any agenda, and it is wrong to suggest otherwise.

When we go into the Lobbies, let us be very clear about what we are voting on. We are voting on an issue of equality, on whether we believe that it is right to criminalise 16 or 17-year-old boys because they are expressing a homosexual orientation. If hon. Members believe that it is right to do that, they will vote against the proposition that there should be equality between the age of consent for heterosexual and homosexual acts. If, however, hon. Members believe that it is right to respect people's differences and that it is right and proper to ensure that the law is equal as between all people, they will vote for the clause.

Dr. Julian Lewis: I shall detain the House for a just a moment longer—because the Minister declined to give way to me on a point on which he was demonstrably wrong. He said that he had not heard from those who opposed the measure why it was right to criminalise people below the current age of consent that he wishes to alter. It was pointed out time and again on Second Reading, by me and others, that that is a bogus argument because it is an argument against ages of consent generally. The purpose of ages of consent is not to criminalise the people below them but to criminalise those above them and stop them interfering with those below them. He may not like that answer, but he is wrong to say that the question has not been answered. I am surprised that he did not do his homework on that matter.

Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 330, Noes 126.

Division No. 63] **[7.40 pm**

AYES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Atkins, Charlotte
Austin, John
Baker, Norman
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, Rt Hon Tony
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Darling, Rt Hon Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Duncan, Alan
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fabricant, Michael
Fearn, Ronnie
Field, Rt Hon Frank

Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Loma
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Key, Robert
Khabra, Piara S
Kidney, David
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laing, Mrs Eleanor
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Manchester C)*
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prior, David
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan
(Swansea W)
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Ann Keen and
Laura Moffatt.

NOES

Amess, David
Ancram, Rt Hon Michael
Anderson, Donald *(Swansea E)*
Arbuthnot, Rt Hon James
Beggs, Roy
Bell, Martin *(Tatton)*
Benton, Joe
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cann, Jamie
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clarke, Rt Hon Tom *(Coatbridge)*
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Horam, John
Hunter, Andrew
Jack, Rt Hon Michael
Johnson Smith,
Rt Hon Sir Geoffrey
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David

Loughton, Tim
Luff, Peter
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Marshall, David *(Shettleston)*
Mates, Michael
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moss, Malcolm
O'Brien, Bill *(Normanton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Powell, Sir Raymond
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Russell, Bob *(Colchester)*
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Trend, Michael
Trimble, Rt Hon David
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wray, James
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Gerald Howarth and
Mr. Andrew Robathan.

Question accordingly agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 1 reported, without amendment; to lie upon the Table.

Water Industry Bill

Not amended (in the Standing Committee), considered.

New clause 1

PROVISIONS FOR WALES

'.—(1) Sections 1 to 11 above shall apply in England only.

(2) The National Assembly for Wales shall, within twelve months of this Act receiving Royal Assent, consider the provisions of this Act and make decisions concerning—

(a) whether the provisions of sections 1 to 11, 16 and 17 shall apply in Wales; and

(b) whether to substitute different provisions in the case of Wales in place of the provisions of sections 1 to 11, 16 and 17, dealing with the matters provided for in each section.'.—*[Mr. Dafis.]*

Brought up, and read the First time.

Mr. Cynog Dafis (Ceredigion): I beg to move, That the clause be read a Second time.

The new clause would give the National Assembly for Wales maximum discretion on water policy in Wales. I spoke on Second Reading about the significance of water as a political, economic and ecological issue of major importance to Wales. I do not intend to rehearse the series of arguments that I made; I shall simply recall the main points.

Water is a priceless asset—we are only just beginning to realise just how priceless it is. As a resource, it will be in increasingly short supply over coming years and decades. Wales should be allowed to utilise that asset responsibly—of course—and in the interests of Wales and its people, in the context of sustainable development, which the National Assembly for Wales has a specific duty to promote.

The circumstances of water supply in Wales are very different from those in much, if not all, of England. Wales has a plentiful water supply. There is no prospect of Wales suffering a shortfall in water supply, even in the worst-case scenario of increasing demand and a diminution of supply as a result of climate change and other factors. There is, however, likely to be a significant shortfall of supply in parts of England, especially the south-east. Such different circumstances will result in different priorities, as on investment, as I spelt out on Second Reading. That could mean that Wales adopts a different charging system, because charges reflect such issues as the availability of supply.

I argued on Second Reading that it is unacceptable to bundle together legislation for Wales with that for England, when the Bill makes separate provision for Scotland. The new clause would allow decisions on the Bill's provisions to be delegated to the National Assembly, which would enable it to make different provision on matters such as disconnection, charging, and so on.

An example of the need for different provision is found in the recent Environment Agency proposals for limitations on angling in rivers in England and Wales. Angling is enormously important socially, culturally and, in large parts of Wales, economically, due to tourism, for example. The Environment Agency is proposing byelaws that impose uniform limitations on angling, such as on seasons, throughout England and Wales. That is a bad

[Mr. Cynog Dafis]

approach. Such limitations ought to be devised on the basis of river catchment areas. I believe that the proposals have more to do with the Environment Agency's administrative convenience than ecological or economic realities.

I and other hon. Members have written to the Secretary of State for Wales asking that implementation on this very important issue be postponed until after the Assembly has been able to debate it and come up with appropriate byelaws for Wales—different ones, I dare say. I hope very much that the Secretary of State will listen to what is being said to him on a cross-party basis. It is an illustration of the need for a different approach in Wales that reflects its reality.

What is the point, one might ask, of devolution, unless we can make our own different policies in Wales? Many might ask what is the point of establishing a National Assembly if it is not able to make decisions on such important subjects as water policy.

8 pm

The new clause is not especially about disagreeing with the specific proposals in the Bill. I do not disagree with the proposals in relation to disconnection, although I would have serious reservations about the process of facilitating and promoting metering as a method of charging. The new clause is about the powers of the National Assembly for Wales, and about how legislation in London that affects Wales should be drafted.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I am glad that the hon. Gentleman has said that he does not object to key parts of this provision, because the continuation of rateable value as the basis for unmeasured charging is vital for most of our communities. I trust that he will not cast any doubt on that issue.

Mr. Dafis: I am grateful for that intervention, and I have much sympathy with what the hon. Gentleman says. I feel that we need a better basis for charging than rateable value, which is well out of date. The best proposal is to charge on the basis of council tax banding; we should adopt that method. The danger of continuing to use rateable value is that, by doing so, we postpone the day when we can adopt such a method.

However, the issue before us is how legislation that has such an important impact on Wales should be drafted. The Government of Wales Act 1998 gives English Ministries—I suppose that, technically, I should say England and Wales Ministries, but, from the point of view of Wales, they will be seen as English Ministries—specific override powers in relation to water policy in Wales. The Welsh Office guide to the powers of the National Assembly, entitled "Making a Difference in Wales", puts it thus:

> "The Assembly will have all relevant functions to deal with water supply and water quality in Wales."

That is good.

> "However, if UK Ministers believe its actions in authorising discharges into rivers flowing into England, or allowing water to be abstracted from such rivers, or its actions in time of drought, would have a serious impact on England, they would be able to intervene to prevent the Assembly acting in such a way."

It speaks similarly about the Environment Agency.

I do not believe that such override powers are the right answer to what is a reasonable question. The guide does say—rather graciously—on the previous page that the Government do not believe that the National Assembly would wish to prevent people in England from having adequate water supplies. That is big of them; I am sure that the Assembly would not want to do that. However, I do not think that override powers are necessary. Other methods could have been used. There could have been a requirement for there to be consideration—a requirement for meetings to reach a consensus on how any conflict of interest might be resolved.

I do believe, however, that the National Assembly should be able to override policy proposals in Westminster legislation if it does not agree with them. It should have that power in general terms. Would that we had had such powers many, many times in recent years. Wales would be in better shape if we had had such powers.

The time will come—the sooner, the better—when the National Assembly will have full legislative powers, as the Scottish Parliament has. I am confident that that day will come. We might as well get it done as soon as possible. However, meanwhile, any primary legislation drafted in London surely must in future give the National Assembly maximum latitude to vary provision by secondary legislation. The Government should surely accept that principle. Legislation should routinely contain such provision when drafted. It should have been done in the case of the Bill.

The new clause applies to clauses 1 to 11—the clauses that relate to England and Wales—and there are consequential changes to be made to clauses 16 and 17. The new clause would do what the drafters of the Bill should have done. We are merely putting right a deficiency in the legislative approach.

There has been much debate in Wales and Westminster on the National Assembly's limited legislative functions. Apologists for the Government's approach—giving the National Assembly only secondary powers—would argue that not having primary powers is not a big deal, because primary legislation can be drafted so as to allow the National Assembly, which will have total democratic legitimacy in Wales, to draft legislation to make provision appropriate for Wales, however different that might be.

I am not arguing for difference for the sake of difference; I am arguing for the right to be different in order to be appropriate to the special circumstances that apply in Wales. In that spirit, and bearing in mind the fact that we merely want to correct a deficiency—that we are doing what the drafters of the Bill should have done—I hope that the Government will accept the new clause. It is an opportunity to show willingness to legislate to empower the National Assembly for Wales, while retaining the primary legislative function in London. I expect and hope—well, I hope—that the Government will accept the new clause on that basis. If they do not, that augurs rather badly for future legislation.

Alternatively, the Government might like to say that they consider that the issue is serious enough to merit further consideration in what is quaintly called the other place. If the Government were to say that they would consider exempting Wales from the requirements of the Bill by tabling an amendment in the Lords, we would be very pleased.

However, I want to say something to the Under-Secretary of State for Wales, the hon. Member for Cardiff—which one is it?

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): Cardiff, Central.

Mr. Dafis: That is right. I should like to hear the hon. Gentleman and other Ministers say that they recognise that future legislation should be universally drafted so that the secondary powers of the National Assembly give it the latitude that it needs if it is to put in place the strategies to enable us to build the new Wales. I look forward to the Government's response.

Mr. Oliver Letwin (West Dorset): When I first arrived in the House, I was instructed that, among the many people whom I would come across, bizarrely, the nicest would be Welsh nationalists. The hon. Member for Ceredigion (Mr. Dafis) is no exception to that rule, and he has treated us to the delightful—and apparently charming—prospect of a slight technical amendment to the Bill to achieve what he described as an efficiency.

As a matter of fact, the Conservative party in Wales strongly disapproves of the hon. Gentleman's views. *[Laughter.]* Yes, it is a matter of amusement to us that the Government's actions in these matters will have substantially recreated the Conservative party in Wales and its representation, as Ministers were good enough to admit—perhaps more than the Government originally reckoned on. However, the Conservative party in Wales differs from the hon. Member for Ceredigion on the matter of substance, in that its position is that if this is a good Bill for England, it cannot see why it would be a bad Bill for Wales.

The Minister for the Environment has waxed eloquent on the Bill's virtues, and my hon. Friend the Member for West Chelmsford (Mr. Burns) and I have never opposed the general principles underlying it, as Ministers know. Therefore we have argued that it is—taken by and large, and with some defects—good for England, and so good also for Wales.

However, it is not on that matter of substance that I want to argue very strongly against the new clause. The hon. Member for Ceredigion raised, in a short speech, just about every major constitutional mistake that could be made in taking forward the relationship between the House and the National Assembly, and his new clause, alas, accurately reflects that programme.

Water, as the Minister will very well know, is included as item 17 in schedule 2 to the Government of Wales Act 1998. Hence it is appropriate that it also appears as a subject in the remarkable set of documents that the Transfer of Functions (National Assembly for Wales) Order 1999 and its appendices have become. I do not think that the Minister was present for the entirety of our discussion on the order during the proceedings on the Government of Wales Bill. However, he may recall that there was a great deal of discussion of just what that order would do. No one doubted that its sole intent—the structure of what became the Government of Wales Act ensured that it would have as its sole intent—was to allow Ministers through the order, under the aegis of the House and Parliament, to transfer authorities that now reside with a Minister at Westminster to the Welsh Assembly.

It is a critical component of the architecture of the Government of Wales Act that there was no suggestion that there would be under that transfer of functions any transfer of powers that resided elsewhere than with the Minister, and certainly no transfer of powers that resided with this Parliament under that order. That would have carried the Henry VIII principles far further than even Ministers in their most daring moments were willing to take them under that transfer of functions order.

There is a large range of powers relating to water residing with Ministers. They are well covered, if not completely, in the descriptions of all the powers that are to be transferred under the order in relation to the Water Industry Act 1991 and its sequels and accompaniments. Every one of those powers is, as it should be, a power currently with the Minister. There is no suggestion anywhere of the transfer of anything other than a power that resides with the Minister.

Unfortunately, the power that is the subject of the new clause—this takes us back to section 61 of the Water Industry Act 1991—is not the main power; it is not a power of the Minister—it is the power of the water undertakings to disconnect. The new clause would do something wholly outwith the spirit of the Government of Wales Act. It would arrange things so that the Welsh Assembly was able to legislate on a power that belongs to a third party. It would achieve that effect in another piece of legislation taken through this Parliament and not in the transfer of functions order.

There are three reasons why that is of the greatest possible constitutional significance. First, there is what we can properly describe only as the ratchet effect. I am sure that the hon. Member for Ceredigion will not disagree with this part of my analysis, though he will certainly disagree with my conclusion. It is fair to say that although this is hardly a packed Chamber, even some Labour Members present would have been extremely disheartened if anyone had suggested that the Bill and the new clause would be used as a method of doing the opposite of what the hon. Gentleman is seeking to do—that is to diminish rather than augment the powers of the Welsh Assembly. Had that been proposed by myself or my hon. Friends this evening, the hon. Gentleman would rapidly have left his place and shot off to the nearest porthole of the BBC or its Welsh equivalent to start broadcasting vehemently about the appalling attack on everything that matters in the world being perpetrated by Members who were suggesting a diminution of the powers of the Welsh Assembly.

However, not many days—certainly not many weeks or months—after the passage of the Government of Wales Act, we find the hon. Member for Ceredigion and his entire parliamentary party coming forward with a new clause that significantly augments the powers of the Welsh Assembly. I prophesy—I am sure that the hon. Gentleman and his hon. Friends will not mind my so doing—that this will not be the last such attempt. I rather think that for as long as they, with their eloquence and persistence, hold their seats in this place, and for as long as the Government bring forward legislation that includes the words "England and Wales", we shall see on almost every occasion amendments brought forward to augment the powers of the Welsh Assembly in respect of a wide range of legislation.

[Mr. Oliver Letwin]

The new clause is just the first example. That is why I am strongly labouring the point that it is a ratchet. We shall never be allowed to get away with proposing any diminution, in any other legislation, of the powers of the Welsh Assembly. However, if we are not careful, we shall see before us dozens, if not hundreds, of amendments to every form of legislation seeking insidiously to increase the powers of the Welsh Assembly.

8.15 pm

That is not anything that the hon. Gentleman and his hon. Friends would be ashamed of doing. On the contrary, it is part of their programme. I fully accept that. However, it is important that the House recognises how radical a proposal that is, and that tonight it sets a precedent—I hope very much that my remarks will have the support of Ministers—by refusing to be a party to that sort of ratchet.

If the new clause is pressed to a Division, and if, by any strange mischance, Ministers should find themselves and their colleagues in the same Lobby as the hon. Member for Ceredigion and his colleagues, Ministers will have fulfilled in the most unfortunate fashion that dreadful phrase that the former Secretary of State for Wales used when we discussed these matters on Second Reading and in Committee on the Bill that became the Government of Wales Act. The right hon. Member for Caerphilly (Mr. Davies) used to say that devolution was not an end point but a process. In the circumstances that I have described, it will become a process—*[Interruption.]* I rather thought that the hon. Member for Ceredigion and his hon. Friends would not object to that. It will become a process that will lead us ineluctably to the very point that the hon. Gentleman lightly animadverted to when he said—I think that I paraphrase him accurately enough—that in due course, almost inevitably, there will be legislative powers to transfer legislative powers to the Welsh Assembly.

Apart from the ratchet effect, the second reason why I think that it is of the greatest importance that the House pays serious attention to the new clause, and why I think that it is of the greatest importance that the House rejects it, is that the new clause, if it were accepted, would drive a coach and horses through the very mechanism which the Government of Wales Act sets up and which the Government believe that they have had established in order to get a grip from Westminster over affairs in Wales.

There is a reason why the transfer of functions order is as it is. There is a reason why it is not cast in a way that mirrors the new clause. The text of the new clause says nothing about transferring functions. Instead, it states:

> "The National Assembly for Wales shall . . . consider the provisions of this Act and make decisions".

What relationship does that set up between the House and the National Assembly for Wales? It is a relationship of advice on the part of the House and consideration and decision on the part of the Welsh Assembly. By contrast, the transfer of functions order allows the House to allow a Minister to transfer some Executive authority from himself to another body. These are wholly different constitutional relationships.

The attempt behind the structure and architecture of the Government of Wales Act was to give Ministers a grip on what was transferred and hence to create a natural obstacle to the ratchet effect by ensuring that no new powers would be automatically transferred and that no new scope would be given to the Welsh Assembly, whereas the new clause would obviously militate in exactly the opposite direction. If it were mirrored in a series of subsequent pieces of legislation, the National Assembly for Wales would gradually acquire the powers to consider the provisions of a range of English and Welsh Acts and to decide whether it would implement them. At that point, the distinction between a secondary legislative body and a primary legislative body would have virtually disappeared. That is, of course, the modest intent of the hon. Member for Ceredigion.

Mr. Dafydd Wigley (Caernarfon): The hon. Gentleman will, of course, accept that the Welsh Assembly will have the power to change primary legislation with regard to the Welsh Development Agency Act 1997 and some other Acts associated with that.

Mr. Letwin: I regret to say that, not surprisingly, the right hon. Gentleman is right. I and various of my hon. Friends lamented that at an earlier stage, but you will tell me, Mr. Deputy Speaker, that that is not an appropriate matter for us to consider tonight.

There is no doubt that precedents are already established, but they are strictly limited. The new clause would greatly extend the scope of those precedents and carry them into legislation other than the Government of Wales Act 1998. There is no doubt what that programme is—I would say "game", but it is in deadly earnest; it is a serious constitutional programme.

The Welsh nationalists are attempting to use the new clause as the basis for getting to the point where the Welsh Assembly becomes de facto a primary legislative body. Unless Ministers were willing, as we would be if the motion were pressed to a Division, to state clearly that that is unacceptable, they would be driving a coach and horses through the structure of their own Government of Wales Act.

There is a third point. This is a question not merely about the form of what is being done, but about the scope. In new clause 1, it is suggested that the Welsh Assembly should have the power to consider, first, whether the provisions of an English and Welsh Act should apply, and secondly, whether to substitute different provisions. The substitution of different provisions carries us a stage beyond what I have described—not simply into a matter of form, but into a matter of substance.

The new clause, surprisingly, is a new constitution for Wales in the making. It gives the Welsh Assembly directly, in UK law, the ability to make law. At that point, the distinction between primary and secondary legislation disappears. It is a remarkably cunningly drafted clause. It has been drafted in such a way that as the ratchet effect occurs and as such a provision is introduced for Bill after Bill, a new constitution will have been made without ever having been discussed or declared. Quite apart from whether the Welsh people want a primary legislative body in Wales—they were never asked—that is no way for a constitution to be made. That is my third point.

Even if it were right that the Welsh Assembly should have the power to consider and decide on the provisions of the Act, and even if it were right that it should, in general, have the power to substitute for Acts new de facto primary legislation, it would not be right that that should be introduced in this manner. It should be introduced only after mature consideration, possibly with a referendum and certainly with a White Paper and a great deal of debate and discussion.

The third reason that Ministers would be acting wrongly if they had the slightest inclination to go into the Lobby with the hon. Member for Ceredigion and his colleagues is that they would be admitting that it was proper to introduce such constitutional change on the sly.

Mr. James Gray (North Wiltshire): My hon. Friend makes a powerful constitutional point. Has he considered the practical question of what would happen if Welsh Water, by this means, charged or applied regulations differently in Wales and in the large area around Bristol that it supplies? For example, Welsh Water could use the council tax in Wales, but would still have to use the rateable values in Bristol and elsewhere.

Mr. Letwin: My hon. Friend is right. That brings us to the question of the borders. I treat the subject with some hesitation because there are hon. Members present who remember that it was not my most glorious moment when I mistook the location of certain schools. That was due to a postal address confusion. That episode, shameful as it was in my case, illustrated all too clearly the very problems to which my hon. Friend refers.

There are issues of great complexity that relate to the borders, and problems might arise in practice if the new clause were enacted and if, as a result of its enactment, the Welsh Assembly decided to take steps that led to Welsh Water behaving quite differently from the English undertakings.

There is nothing in the new clause—this is what is so remarkable about it—that substantively causes that problem. The clause is drafted in a constitutional spirit. It says nothing about the outcome or about what the Welsh Assembly should or would decide. The hon. Member for Ceredigion made that clear. It is, so to speak, a permissive clause. It is, in other words, a transfer of powers.

The new clause is a constitutional clause. It is intended to be that and has been drafted well. Unfortunately, it has none of the surroundings that would make it legitimate. If the House has any purpose—especially at 8.26 on an evening when it is hardly full—it is to bring to light the fact that something is being done that has consequences far beyond the apparently modest intent of the clause.

I apologise to the House for having laboured the point. I know that some hon. Members present would have wished me to be more concise or to say nothing. However, it is of the utmost importance that these matters be put on record. I hope that we will hear from Labour Members who share the constitutional concerns that I have expressed—I see some of them in their places. I hope that it will be established that those concerns are not merely the concerns of the Opposition, but are widely shared in the House.

I hope that when subsequent Bills are considered, and similar clauses are moved, people will be able to point back to the debate tonight as proof that we were awake and alive to the problems, and that we understood the implications, rejected them and set no such precedent.

I look forward to hearing from the Minister how much he agrees with everything that I have said and how strongly he will move his colleagues into the No Lobby if there is a Division. If that occurs, we can let the Government off the hook of any complicity in this gunpowder plot, little and delightful as it may appear to be.

Mr. Richard Livsey (Brecon and Radnorshire): I shall be brief, but I shall make some fundamental points. We Liberal Democrats support new clause 1, which would restrict sections 1 to 11 and 16 and 17 to England, and determine that such a decision should be in the ambit of the Welsh Assembly.

Mr. Letwin *rose*—

Mr. Livsey: I have just started my speech. I will give way at an appropriate moment. The hon. Member for West Dorset (Mr. Letwin) said that this would occur in Bill after Bill. We are considering the Water Industry Bill. He said that arrangements in England and Wales had to be virtually the same, but we have our own water company—Dwr Cymru or Welsh Water—which already behaves differently. It prefers to run a charging policy based on rateable value. As the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said, we want such flexibility because it might, as the hon. Member for Ceredigion (Mr. Dafis) said, be based on council tax banding, for example. In short, it might be more appropriate.

8.30 pm

That brings me to the subject of metering. Welsh Water would prefer to stick with the rateable value. I believe that it is open-minded about the council tax banding issue. But because Wales requires a huge water pipe infrastructure, because the sparsity of population in many places requires miles and miles of piping, different circumstances obtain in Wales.

New clause 1 says that the Welsh Assembly should have an input into how the matter is proceeded with. I am a keen fisherman, and the issues of compensatory flow, for example, in Welsh rivers, and the abstraction of water from rivers in different places, are important. I have asked many questions in the past about whether compensatory flow is adequate in certain circumstances to sustain the ecology, the fish population and many other matters. Sometimes we must look carefully to see whether rules exist.

As the hon. Member for West Dorset knows full well, there is a precedent. The Government of Wales Act 1998 acknowledges, for example, that if reservoirs are constructed in Wales the Welsh Assembly should be consulted as to their acceptability.

Mr. Letwin: I fear that the hon. Gentleman may be embarking on a speech even more profoundly inclined to make people sleep than mine, but will he keep the House awake an instant further and tell us whether it is Liberal Democrat policy that a precedent should be set in this case permitting the constitutional transfer of powers—legislative powers—from this House to the Welsh Assembly; or is he merely making the point about this Bill, and is willing to state that it is not his party's policy to allow such a precedent to be set?

Mr. Livsey: The hon. Gentleman will realise that the Liberal Democrats are federalists and believe that decision

[Mr. Livsey]

making should occur at the appropriate level in the Government of the United Kingdom. Perhaps even the hon. Gentleman will admit that water, Wales's greatest natural resource, is an important issue to the Members of the Welsh Assembly. They will want to contribute to and influence policy on, for example, water regulations. Water is a politically sensitive issue in Wales, of which the House is surely aware. New clause 1 is a way of satisfying the needs and circumstances of Wales where they differ from those of England.

Mr. Letwin: I am grateful to the hon. Gentleman for giving way again, but I beg him to answer the question, which is perfectly fair and clear. Is he trying to establish a precedent, or does he think that this is a one-off measure which should not be regarded as a precedent?

Mr. Livsey: I do not wish to extend my speech to the length of the hon. Gentleman's. I merely say that we are discussing the Water Industry Bill and I am addressing—

Mr. Simon Burns (West Chelmsford): Will the hon. Gentleman give way?

Mr. Livsey: No, I shall not give way now.

We are specifically debating the Water Industry Bill. The hon. Member for West Dorset led me on to other paths, to which I have referred. If the hon. Gentleman insists that we have no influence in Wales on policy governing our greatest natural resource, that is an extreme view indeed.

Mr. Jon Owen Jones: New clause 1, proposed by the hon. Member for Ceredigion (Mr. Dafis), effectively allows the National Assembly for Wales to pass its own water industry Acts, amending or undoing all the provisions in the Bill which apply to England and Wales. Effectively, the hon. Gentleman wishes to redraft not the Bill, but the Government of Wales Act. I can well understand why the hon. Gentleman would wish to do that. I understand his motivation. I can well understand that many of his constituents who voted for him would sympathise with him.

The hon. Member for West Dorset (Mr. Letwin) argued at length that this is a major constitutional step and that the real argument is about the Government of Wales Act. I can understand why Plaid Cymru wishes to raise the matter, but I cannot understand why the Tory party wishes to go through the devolution argument at such length on a Bill concerned with the management of water.

However, the House is well aware that the Assembly will not be empowered to pass primary legislation. The new clause goes well beyond the powers given to the Welsh Assembly in the Government of Wales Act. That Bill allows the Assembly to work within a framework of primary legislation which has been passed here. Thus each Bill needs to reflect the role and status of the Assembly in Wales, and to give it the necessary powers to reflect the needs of Wales. In this case, we believe that we have done so.

The Bill provides for the industry in England and Wales to operate within a consistent charging framework, providing consistent protection against disconnection and giving the same rights to customers.

At the same time, the Assembly will have significant powers in this area. We propose that the Secretary of State's powers in clauses 4 and 5 should transfer to the Assembly in respect of water undertakers operating wholly or mainly in Wales—currently Dwr Cymru and Dee Valley Water.

The Assembly's powers include the power to give its own guidance to the Director General of Water Services in approving water undertakers' charges schemes. The director general must have regard to such guidance. They also include the power to make regulations concerning charges schemes.

Those regulations may cover, for example, items for which water consumers do or do not have to pay; the way in which charges are calculated and on what basis; alternative methods of charging, which should be made available to customers; a requirement for special provision to be made to assist those whom the Assembly considers to need special protection; and the criteria for entitlement to special provision and the means to establish it. Thus there are powers within the Bill to allow the Welsh Assembly to reflect the different needs of Wales in the management of water resources.

Mr. Dafis: I ask for clarification; it is better to have it at this stage than later. Is the Minister saying that the Assembly could ensure that a charging policy significantly different from that in England might be pursued in Wales? May we in Wales not implement any proposal that would encourage and facilitate the slide towards metering? Could the Assembly ensure that we move towards a fair system of charging, based on council tax banding, for example? Is he saying that the Assembly would be able to ensure such an outcome?

Mr. Jones: The Government are still open to considering whether we should move towards a charging system based on council tax banding, but the hon. Gentleman knows full well that the Bill allows for free metering to be established on both sides of the border. I am surprised that he would want Welsh consumers not to have the right that would apply on the other side of the border. I realise that his constituency of Ceredigion is not that close to the border, and he might feel a bit more wary about presenting such a policy were he representing a constituency such as Brecon and Radnorshire. Clearly, Plaid Cymru's ambitions do not extend much further east than the Cambrian mountains.

We consider that—

Mr. Letwin: Will the Minister give way?

Mr. Jones: The hon. Gentleman had sufficient time to make his contribution, but I will give way.

Mr. Letwin: I am grateful to the Minister for giving way. My question is purely for clarification. Before he took the intervention from the hon. Member for Ceredigion (Mr. Dafis), was the Minister referring to clause 5 and the powers of the Secretary of State by regulations to make provisions for charging? Does he accept that any such transfer would of course be by a transfer of functions order or by the enlargement of the draft transfer of functions order?

Mr. Jones: As I understand it, there are powers that would allow the Welsh Assembly to make different provision for charging procedures within Wales.

We consider that these powers represent a significant and appropriate transfer of responsibilities, complementing the many other responsibilities relating to the water industry which the Assembly will inherit. In the light of that reassurance, I hope that the hon. Member for Ceredigion will withdraw his new clause.

Mr. Burns: I had not intended to make a speech at this stage, but the Minister said something so fundamental that it is important to clear the matter up now, so that we are under no misapprehensions as to what he said.

I understood from our debate in Committee that clause 5 and the words

"the Secretary of State by regulations"

apply to the Secretary of State for the Environment, Transport and the Regions and that he, within the ambit of the Bill, will make the regulations and give the instructions to the regulator. It never occurred to me during those debates that there was any intention to transfer those powers to the Secretary of State for Wales or any other individual.

I would appreciate it if the junior Minister intervened to settle the matter, on a point of information. He will agree, in the light of our debate, that the matter is very important.

Mr. Rowlands: Will the hon. Gentleman give way?

Mr. Burns: I will, and I hope that the Minister will respond to that point.

Mr. Rowlands: Through the hon. Gentleman, may I ask my hon. Friend the Minister whether some of these issues will be the subject of a concordat?

Mr. Burns: I am grateful to the hon. Gentleman for that intervention. Through me, he invited the Minister to reply. I should be grateful if the Minister replied to my point and then dealt with the point made by the hon. Gentleman. I ask the Minister to clear this point up, so that there can be no mistake and no misunderstanding. Will he clarify the reference in clause 5 to "the Secretary of State"? Which Secretary of State is referred to? Are there any proposals to transfer the powers in clause 5 to the Secretary of State for Wales? That is an urgent and important point for the Assembly.

Mr. Jon Owen Jones: So that there will be no misunderstanding, I should say that the powers to be transferred will be only secondary powers and powers of the Secretary of State to give guidance. No powers to make or set aside primary legislation will be transferred.

Mr. Burns: Is the Minister saying that, for Wales, there will be a transfer of functions from the Secretary of State for the Environment, Transport and the Regions to the Secretary of State for Wales?

Mr. Jon Owen Jones *indicated dissent.*

Mr. Burns: Will the Minister clarify?

8.45 pm

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Interventions should come voluntarily: in the other direction, as it were. The hon. Gentleman makes matters untidy by inviting interventions. He should make his point so that we can get on with the business.

Mr. Burns: I am grateful, Mr. Deputy Speaker. I understand that that is untidy, but the Minister unexpectedly made some comments that made the whole subject somewhat untidy and confusing. I thought that the easiest way to tidy it up would be to take that slightly unconventional approach. However, I fully accept your ruling.

Obviously, we will read *Hansard* extremely carefully tomorrow morning because a potential problem has unexpectedly arisen with regard to the Welsh Assembly and the Secretary of State. The problem may not exist and if we can clear that matter up, it will put all our minds at rest.

Mr. Dafis: I am grateful to you, Mr. Deputy Speaker, for allowing me to bring this debate to an end. I had not realised what a constitutional can of worms I was opening in moving the new clause. My intention was much more modest than that for which the hon. Member for West Dorset (Mr. Letwin) gives me credit. Clearly, the hon. Gentleman regards with horror the idea that Wales should be allowed to evolve, for example, its own charging policy. He seems to think it an awful prospect that Wales should be allowed to develop different policies of that sort.

Such a decision could be important if the Assembly is, for example, to deliver its social justice agenda. For example, it is important for the Assembly to be able to consider what charging policy is likely to be equitable and to favour low-income families who have high water demands—of course within the context of environmental sustainability.

Mr. Letwin: I am grateful to the hon. Gentleman, who gives way with his customary courtesy. I want to clarify that I do not view with any horror the making of regulations by the Welsh Assembly, under a transfer of functions order, when, under clause 5 of the Bill, a Secretary of State here would be given that power. That is entirely within the spirit of the Government of Wales Act 1998. I regard with horror the hon. Gentleman's new clause, which goes far beyond that in its constitutional intent.

Mr. Dafis: If the Government were prepared to table an amendment to achieve what I am trying to achieve in my new clause, but in a less constitutionally earth-shaking manner, I should be happy to hear about it from the Under-Secretary of State. It is terribly important for the Assembly to be able to deliver its own agenda on an issue of this sort.

The hon. Member for West Dorset said that the Government of Wales Act gave Ministers a "grip"—I did not particularly like the metaphor—on the situation and that he wanted them to retain that grip and not let the Assembly gradually slide into acquiring greater powers and discretion. He spoke at length about transfer of functions and so forth. It was not my understanding that

[Mr. Dafis]

my new clause recommended any transfer as such. I was looking for a mechanism to allow the Assembly latitude to work within the functions that it already has. If that cannot be achieved without a transfer of functions, then the case for such a transfer is obviously strengthened. I make no secret of the fact that I want such a transfer.

It is important to understand that the agenda for the next five years is to establish a useful working relationship between the Assembly and this place to enable devolution to be a success. In its first stages, that will involve give and take on both sides. It involves designing and drafting legislation—without transferring functions—that will enable the Assembly to have as much discretion as possible. It should have considerable discretion in education and other policy areas.

Mr. Rowlands: That was the whole concept of concordats. Has the hon. Gentleman thought about that?

Mr. Dafis: Yes, I have, but I will not pursue that issue in detail at this stage, if the hon. Gentleman will forgive me.

Legislation should be designed in such a way as to give the Assembly maximum latitude and flexibility. I listened carefully to Minister, because I was hoping to have absolute clarification. I asked him whether the Assembly could ensure a distinct charging policy in Wales. I got the impression that that was not the case, and that that could not be done satisfactorily. If it is not the case, I am not satisfied.

Mr. Letwin: I admire the hon. Gentleman's interpretive and exegetical skills. I was wholly unable to discern any clear meaning in what the Minister said. I wonder whether the hon. Gentleman would invite the Minister—if your patience would allow, Mr. Deputy Speaker—to clarify what on earth he was on about.

Mr. Dafis: If the Minister wants to intervene, I shall allow him to do so. I shall not urge him to intervene, however, given what Mr. Deputy Speaker has said.

Mr. Jon Owen Jones: If it helps the House, I shall reiterate that clause 5 refers to the Secretary of State, and that the Secretary of State is a single entity. The Government of Wales Act 1998 transfers the powers of the Secretary of State to the Welsh Assembly. The National Assembly will have the regulation-making powers in clause 5.

Mr. Dafis: Right then, I have a further question. Will the Assembly be able to depart from the provisions in the Bill to facilitate metering? I do not want to go into the rights and wrongs of metering, but will the Assembly be able not to allow free metering and the right to revoke the arrangement after a year? It is important to have that power. I do not want more and more metering to be encouraged, because the price that those who are not on meters would have to pay would put them at a disadvantage. That would be a regressive social policy.

My understanding is that such latitude would not be available to the Assembly. I am therefore unable to withdraw the motion, and we shall force it to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 30, Noes 313.

Division No. 64] **[8.53 pm**

AYES

Allan, Richard
Beggs, Roy
Beith, Rt Hon A J
Bottomley, Peter *(Worthing W)*
Brake, Tom
Brand, Dr Peter
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Dafis, Cynog
Davey, Edward *(Kingston)*
Ewing, Mrs Margaret
Fearn, Ronnie
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Livsey, Richard
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Wallace, James
Webb, Steve
Wigley, Rt Hon Dafydd

Tellers for the Ayes:
Mr. Donald Gorrie and
Mr. Ieuan Wyn Jones.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brazier, Julian
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burns, Simon
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Colvin, Michael
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim

Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Gray, James
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leigh, Edward
Leslie, Christopher
Letwin, Oliver
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prior, David
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ruffley, David
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spelman, Mrs Caroline
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wilkinson, John
Williams, Alan W *(E Carmarthen)*
Wilshire, David
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Hanson and
Mr. Graham Allen.

Question accordingly negatived.

Clause 1

DISCONNECTION FOR NON-PAYMENT OF CHARGES

The Minister for the Environment (Mr. Michael Meacher): I beg to move amendment No. 31, in page 1, line 10, leave out 'excluded premises' and insert

'any premises specified in Schedule 4A to this Act'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: Government amendment No. 32.

No. 13, in page 1, line 17, at end insert

'or

(d) a children's home within the meaning of the Children Act 1989.'.

No. 14, in page 1, line 17, at end insert

'or

(d) a nursing home within the meaning of the Registered Homes Act 1984.'.

No. 15, in page 1, line 17, at end insert

'or

(d) a premises dedicated to further education within the meaning of the Education Act 1996.'.

No. 16, in page 1, line 17, at end insert

'or

(d) a premises dedicated to higher education within the meaning of the Education Act 1996.'.

No. 17, in page 1, line 17, at end insert

'or

(d) residential care homes as defined under the Registered Homes Act 1984.'.

No. 18, in page 1, line 17, at end insert

'or

(d) local authority residential care homes as defined under the National Assistance Act 1948'.'.

No. 19, in page 1, line 17, at end insert

'or

(d) dwelling-houses for persons of pensionable age (sheltered accommodation) as defined under the Housing Act 1985.'.

No. 20, in page 1, line 17, at end insert

'or

(d) halls and accommodation for students owned by a university as defined under the Further and Higher Education Act 1992.'.

No. 21, in page 1, line 17, at end insert

'or

(d) prisons for the purposes of the Prison Act 1952.'.

No. 22, in page 1, line 17, at end insert

'or

(d) daycare centres as defined under the Children Act 1989.'.

No. 23, in page 1, line 17, at end insert

'or

(d) business premises occupied by doctors as defined under the Medical Act 1983.'.

No. 24, in page 1, line 17, at end insert

'or

(d) business premises occupied by dentists as defined under the Dentists Act 1984.'.

Government amendments Nos. 33 and 34.

Government manuscript amendment.

Government amendment No. 35.

Government new schedule 1—*Premises that are not to be disconnected for non-payment of charges.*

Mr. Meacher: I shall speak to all the Government amendments—Nos. 31 to 35, the manuscript amendment and new schedule 1—as they are all essentially part of the same package. They also deal with the substance of the Opposition amendments Nos. 13 to 24, so my remarks will address each of the premises described in those amendments. The Government manuscript amendment, which deals with a minor and consequential matter, should be made at the same time as the other, substantive Government amendments, and, with the leave of the House, I should like to make that correction at the first opportunity, rather than leaving it to be dealt with in another place.

In Committee, we had a lengthy debate about the extent of protection against disconnection. Our main focus has been to protect household customers, so that vulnerable families and individuals do not face the possibility of being deprived of water, which is harmful to their well-being and damaging to public health. The Government are determined to improve the health of the nation, and this measure will play a part in that overall strategy.

We recognise that premises other than households also fully deserve extra protection from disconnection and the use of limiting devices to enforce payment. Depriving such premises of their water supply could be harmful to particularly vulnerable groups that are of concern to society as a whole or to essential services. It is obvious that schools and hospitals fall into that category, so we have ensured that such premises could not be faced with the threat of disconnection.

In debate, the case was put for extending protection to a further range of premises that also provide important services to the community. I agreed that I would carefully and sympathetically consider such cases and would be prepared to table amendments to the Bill to ensure that, where it was necessary for good social reasons, protection would be offered against disconnection and the use of limiting devices, such as trickle valves, to enforce payment. We have done that in amendments Nos. 31 to 35, new schedule 1 and the manuscript amendment, which would offer extended protection, notably in medical care, personal care and education.

I shall briefly spell out the implications of that wide set of proposed changes. First, on medical premises, we propose to prevent disconnection for non-payment by nursing homes and mental nursing homes; premises used by registered medical practitioners and dentists; premises used as a pilot scheme for primary care under the National Health Service (Primary Care) Act 1997; ambulance services and other emergency services.

Much nursing care is provided in hospitals, as they are described in section 11 of the Public Health (Control of Diseases) Act 1984. A relatively small number of premises fall outside that definition but offer vital nursing care to those who are mentally or physically ill. Those nursing homes provide care for vulnerable members of society and the Government consider that it is right to prevent such patients from being put at risk from the threat of disconnection of the water supply for non-payment of bills.

We have also considered carefully the case for extending protection to premises used by doctors and dentists. They do not, of course, provide the same degree of residential care as hospitals or nursing homes. However, they can and do provide an essential level of front-line care, and they do carry out a technically important role in the community. Primary care services play a vital role in protecting and improving the nation's health. On balance, therefore, we think that the case has been made for the protection of such premises against disconnection for non-payment of bills.

For similar reasons, we propose to extend protection also to surgeries—not necessarily headed by general practitioners—under the primary care pilot scheme.

The ambulance service represents a further crucial component of medical care, particularly in emergency cases. Disconnection of premises at which the ambulance service is based could lead to deterioration in service or in response times, which could put members of the public in danger. I should be the first to recognise that the ambulance service is not the only service which saves lives and protects the public in emergency situations, as the same is true of police and fire services. We therefore propose to extend protection against disconnection to ambulance services, police forces and fire brigades.

Mr. Gray *rose—*

Mr. Meacher: I should be happy to give way to the hon. Gentleman, who is always diligent.

Mr. Gray: I am very grateful to the Minister for giving way and for his compliment—I am as diligent as I possibly can be in the circumstances. Perhaps he will enlighten the House by explaining the circumstances in which fire, police or ambulance services could be disconnected. Is the provision not a worthless act? Moreover, he has exempted only premises occupied by the fire brigade but not, so far as I am able to tell from reading the Bill, fire hydrants. Therefore, if the fire service fails to pay its bill, is it not possible that, when it turns up at a fire, it will discover that the fire hydrant has been turned off?

Mr. Meacher: The issue of fire hydrants—their availability and usability—is covered by other Acts of Parliament.

Mr. Gray: What about this Bill?

Mr. Meacher: In this Bill, we are dealing with whether there should be protection from disconnection because of non-payment of bills. We are simply proposing that, in the case of all front-line emergency services, there should not be any risk of disconnection for non-payment. As I said many times when we were discussing the issue in Committee, in my view, the likelihood of such disconnections occurring in the case of the public services that we are talking about—the police service or the fire brigade—is exceedingly unlikely. The history of the past 10 years shows that the number of times on which there have been disconnections in such cases is virtually zero.

Nevertheless, taking the spirit of what was pressed on me in Committee, I want there to be absolutely no risk that those who could be endangered because of disconnection will be so endangered. It is for that reason that I have now erred on the side of including all institutions that could in any way cause difficulties to members of the public in emergency situations or to those who are vulnerable, disabled or ill. They should be fully protected.

Mr. Gray: The Minister is, of course, right to say that there are almost no imaginable circumstances in which premises occupied by the fire brigade would be disconnected. Equally, there are almost no imaginable circumstances in which a fire hydrant would be disconnected. The nature of my earlier intervention was therefore to ask why he has decided to specify that the premises occupied by the fire brigade will not be disconnected but omitted to specify that fire hydrants will not be disconnected. My reading of the provision is that if the fire service fails to pay its water bill because of some clerical error, although the fire headquarters will not be disconnected, it is perfectly possible that hydrants in the street will be disconnected. Will he correct my misapprehension—if that is what it is?

Mr. Meacher: The implication of the hon. Gentleman's proposal is that every building—including every private sector building and every commercial building—with a fire hydrant should be protected against disconnection for non-payment. That goes a great deal further even than the latitude that I have been prepared to allow. In respect of non-household premises, we believe that water companies should have the right to disconnect on the basis of non-payment. The only cases where I am prepared to consider protection is where members of the public who are vulnerable or in an emergency situation could be disadvantaged or endangered. I am not prepared to go beyond that principle.

9.15 pm

I wish to refer to premises providing personal care. In this area, very strong arguments have made for protecting children's homes. I have made clear the importance that we attach to protecting children, and propose to prohibit the disconnection of children's homes. As some hon. Members may be aware, there are processes for local authorities to remove children from homes that do not provide an acceptable level of care. A home which could not provide children with water would clearly be failing in this respect. That provides considerable assurance that these vulnerable members of our society will not have to suffer the consequences of disconnection.

I am erring on the side of caution, but there are no absolute guarantees that the relevant local authority would become aware immediately that a home had had its water supply disconnected. I therefore consider that it is right to extend protection in this way to provide full assurance on this point to children living in children's homes.

On due reflection, we propose also to extend protection to residential care homes. By prohibiting disconnection of nursing homes, we shall protect those receiving nursing care. However, there is a wider group of vulnerable people who need the board and personal care provided by residential care homes. These include residents of homes for older people and, for example, residential premises providing personal care for people with learning disabilities.

There is a process of registration for residential care homes provided by the private sector, similar to that for children's homes. That provides considerable assurance that residents will not experience deprivation where homes fail to secure a supply a water because they would be deregistered. However, for exactly the same reasons that I have outlined, we think that it is right to provide the added reassurance by prohibiting disconnection of such premises.

I refer now to prisons and immigration detention centres. This further category of accommodation was brought to my attention in Committee. Prisoners do not automatically spring to mind as those among the most vulnerable in society. However, they do not have a choice in where they reside. *[Laughter.]* We hope that that continues to be the case. A significant proportion of the prison population could be affected if one prison had its water disconnected, requiring the transfer of inmates to other establishments.

I can, therefore, see that there is a legitimate case for protecting such premises. The amendment therefore prohibits disconnection for the non-payment of bills for prisons, remand centres, young offender institutions and secure training centres. For the same reasons, protection will be extended to immigration detention centres.

[Mr. Meacher]

I wish to refer to education and children's day care. In education, we propose to protect premises used for children's day care and premises used for further and higher education—a point referred to by the hon. Member for Carshalton and Wallington (Mr. Brake). Schools, where attendance is compulsory, are already protected under the Bill. However, the Government are not focusing our efforts only on children of compulsory school age. The national child care strategy recognises that pre-school provision can have a major influence on children's development through their school years and beyond. Day care centres do not involve compulsory attendance, but we think that the case is made for extending protection in such cases, to ensure that children have appropriate facilities.

At the other end of the spectrum, further and higher education premises also do not involve compulsory attendance, but it would cause substantial upheaval if they became victims of disconnection through no fault of their own so, on balance, we support the prohibition of disconnection for such establishments, including student halls of residence.

Mr. Burns: Will the Minister give way?

Mr. Meacher: Compared with his continual interventions in Committee, the hon. Gentleman's abstinence has been remarkable, so I am glad to give way.

Mr. Burns: I cannot remember from our discussions in Committee whether the definition of schools includes boarding schools.

Mr. Meacher: It includes boarding schools and schools in both the public and the private sector. We have made no distinction.

I want to add, for the sake of completeness, that I made two important commitments on the clause in Committee. I assured the Committee that the Government would not allow sheltered housing for the elderly to be disconnected and I said that we wanted to protect tenants in bedsits. I want to confirm that the amendments that we have proposed would indeed cover those properties. In line with our general approach on dwellings, disconnection of such premises will not be permitted in the case of properties that are someone's only or principal home.

We have taken the considered view, following the line of argument so eloquently and determinedly put to me in Committee, that we should provide for increased protection against disconnection and against the use of limiting devices to enforce payment, but I am sure that the House will recognise that our proposals continue to be carefully targeted on homes and premises that provide a vital role in the community.

We do not seek to inhibit the operations of water companies more than is necessary to meet the key welfare concerns that have been raised. Water companies in England and Wales will still have the ability to disconnect the vast majority of non-household premises for failure to pay bills. We still think that that is right.

In providing protection against disconnection, we have looked at the purpose of specific premises. We have not discriminated between the private and public sector bodies, or charitable organisations, that provide those key services. The Government have emphasised the importance that we attach to the prompt payment of bills for Departments and public sector bodies.

I do not expect that there will be any adverse impact on water companies' income as a result of the measures, despite the long list of exemptions and protections, but the proposals in the Government amendments are designed to provide absolute assurance to members of the public who may be adversely affected as a result of disconnection and to ensure that, in cases in which we believe as a matter of principle that it is right to protect against disconnection, appropriate measures are put in place.

I hope that I have listened attentively to all that was pressed on me and that I have responded positively and met the will of the House.

Mr. Burns: It is an especial pleasure to follow the right hon. Gentleman. A significant number of amendments were tabled by my right hon. and hon. Friends after our discussions in Committee. The Minister generously said in Committee that he would reflect on the points made by Opposition Members on a range of matters.

If I remember rightly, it was two days ago that the Government tabled the new schedule and the ancillary amendments which, because of the procedures of the House, effectively leapfrogged the amendments tabled by the Conservative party, which urged the Government to adopt this point of view.

I must confess that when the Bill was first published and when we were studying it in the run-up to Second Reading and the Committee stage, we were puzzled not only that the Government had specified in clause 1 that the Bill would apply to domestic dwellings that were the prime residence of individuals, but that it would apply to two other categories—schools and hospitals.

As the Minister rightly said in Committee, no school or hospital has had its water supply disconnected because of non-payment of bills. We would all be extremely surprised if that had been the case. Nevertheless, the Government felt that it was important that these two types of institutions should be specified in the Bill so that there could be no confusion about the Government's intention.

We were genuinely puzzled that the Government should restrict the specified bodies to the two types in question, important though they are. On reflection, we came to believe that there were several other equally important types of institution which, were the water to be disconnected because of non-payment, could cause serious public health risks and other problems. Given that the Government had conceded the point by specifying hospitals and schools, we felt that it was important that, for example, children's homes and registered homes for the elderly should also be mentioned.

Some of the most frail and vulnerable members of society live in registered homes. By definition, they are not responsible for payment of the water bills, but they could be adversely affected if the owners of residential homes, or those responsible for running those homes, omitted to pay the bills, because of irresponsibility, a genuine mishap or forgetfulness.

Mr. Gray: Does my hon. Friend agree that our bewilderment about schools and hospitals being specified in the Bill remains, as there is absolutely no purpose to the provision? Does he further agree that the categories set out in the new schedule and, indeed, in our amendments are perhaps much more worthwhile on the ground that there is a greater likelihood of, for example, a privately run care home omitting to pay the bill and being disconnected? There is a curious conundrum in the Government's proposals.

Mr. Burns: I understand what my hon. Friend says. This is not a criticism, but one can get into difficulty if one starts to differentiate between various organisations on the ground of their supposed importance. However, my hon. Friend's point, which is 100 per cent. valid, is that experience shows that no school or hospital has ever been disconnected because of non-payment of its water bills, or of its water rates under the old system. However, as my hon. Friend correctly identified, there is a greater possibility of someone running, for example, a residential home for the elderly not paying the bill, because of forgetfulness or, in an extreme case, negligence. Prior to the Bill, that failure could potentially have led to the disconnection of the water supply.

I am grateful that the Minister has been prepared to listen to the arguments deployed in Committee and is prepared to include in the new schedule institutions of further and higher education—universities, colleges and their halls of residence.

9.30 pm

Again, it is possible that there could be a problem with halls of residence, if not with the main buildings. However, responsibility under the Bill for halls of residence is restricted to established halls of residence on campus, run by the college or university concerned. It does not include any private, freelance arrangements that students might make to rent accommodation in the town or city. I hope that the Minister will confirm that that analysis is correct.

We welcome the inclusion of nursing homes in the provision, and we tabled amendments in Committee to that end. I give credit to the Minister for including sheltered accommodation for elderly people. He did so without a fight, and it is a wise decision.

In Committee, the Minister raised the question of prisons. As he said earlier, prisoners do not usually stay in prison by choice, although—sadly—a small minority probably do. It would be catastrophic if prisons were to have their water supply cut off, but I suspect that the chance of that happening is non-existent. However, it is sensible to adopt a belt-and-braces approach: it means that the Minister will not have to return for extra powers within days of the Bill reaching the statute book if—sod's law being what it is—a prison were to have its water supply cut off.

Conservative Members pointed out in Committee—as did the hon. Member for Carshalton and Wallington (Mr. Brake)—that doctors and dentists desperately rely on water to carry out their professional functions. Again, it is possible that, through forgetfulness or inefficiency, a water supply could be disconnected for non-payment, and the difficulties would be especially acute for dentists. Some patients may need urgent treatment, and any delay or postponement would cause inconvenience.

We tabled our amendments in Committee for those reasons, and we are grateful that the Minister was prepared to listen to our arguments. I do not mean to be critical, but it is clear that, when the Bill was drafted, the Minister felt that it would be better if only a minimum number of categories were to be added to that of domestic dwellings.

On reflection, on the basis of our arguments in Committee, the Minister has clearly been persuaded by the logic and compelling reasonableness of our suggestions. To be fair to the Minister, and to his credit, he has on certain issues—prisons and sheltered accommodation especially—been prepared to go further. He has not been constricted by the language of the civil service and has not taken a narrow and blinkered view. He has decided in one go to accept the arguments.

Obviously, it would be churlish in the light of my remarks to say that the Opposition do not welcome the fact that the Government have adopted our amendments—albeit more finely drafted. The provisions have been more neatly encompassed in new schedule 1, rather than in a clumsy list in clause 1. I assure the Minister that, given that we are in total agreement on this issue, we shall not be opposing any Government amendment. In addition, for the obvious reason that the Government's drafting of amendments is superior, we shall not be pressing our amendments to a vote.

Mr. Brian White (Milton Keynes, North-East): In view of the length of speeches, I shall be brief.

I welcome the Government's amendments and the way in which they are designed to protect individuals. I thank the Minister for receiving representations from people who are part of the Anglian Water experiment in Milton Keynes and Wellingborough, and who feel that they will lose out as a result of the Bill. As customers of Anglian Water with pre-payment meters, they feel that the sanction of the limiting device is the only way in which they are able to budget successfully. They fear that the Bill when enacted will put them back on the slippery slope to a life of debt. The Bill does not address that.

In Committee, the Minister said that if the Government could find alternative mechanisms that assisted budgeting and did not lead to disconnections, they would be prepared to consider them. However, he said that responsibility for that lay with the water companies. If we are serious about social exclusion, we must protect the people to whom I have referred and find ways of assisting them with budgeting.

If research is left to water companies, it will be conducted for their benefit. Their finance systems and interests will dictate such research. The Government have a role to play in the research in order to protect the people who are concerned about losing out under the legislation. Although I accept that the provisions apply to a very small minority, I urge the Government to take part in the research, put their weight behind it and find alternative mechanisms that will help to deal with this small but vital area of social exclusion.

Mr. Tom Brake (Carshalton and Wallington): I should like to start by claiming a Liberal Democrat campaign success: Government new schedule 1. I was also very flattered to note that, in the past few days, the Conservatives have quite unashamedly retabled many of the Liberal Democrat amendments that were tabled on 15 December, in order to extend the list of excluded premises.

Mr. Burns: Let me please clarify the situation. I know that the Liberal Democrats will be terribly upset about not

[Mr. Burns]

tabling any amendments on Report. I should explain to the hon. Gentleman that both his party and mine tabled amendments that were debated in Committee, and once the Committee reported and the Minister had given a commitment, it was open to both parties to retable them. We tabled all the amendments as soon as the Committee finished its sittings. The hon. Gentleman still has not done so.

Mr. Deputy Speaker: Order. I am not going to allow a post mortem on who tabled what. We have amendments before us and we must discuss those amendments.

Mr. Brake: It is a pity that the intervention was made. I simply respond by saying that Liberal Democrat Members favour a less tribal form of politics, and would certainly welcome a free and unfettered exchange of ideas, but would like to get the credit for it when appropriate.

Although I welcome the new schedule, I am surprised that, when the Bill was being drafted—I understand that the hon. Member for West Chelmsford (Mr. Burns) has mentioned this—the Minister and his massed ranks of civil servants did not believe that it was appropriate to add to the list of exclusions other categories, such as sheltered accommodation, prisons, dentists, doctors, and so on. The Government have now done so, and I am pleased that they have done so; they have agreed to take our suggestions on board. I hope that, in future, attention will be paid to detail at the appropriate moment.

I must also question the role of some of the Labour Back Benchers on the Committee, who remained silent almost throughout its consideration of the Bill. However, I give them the benefit of the doubt. They may have been twisting the Minister's arm behind closed doors, and it may be for that reason that some of the amendments have emerged tonight.

Mr. Burns: I thought that the hon. Gentleman did not like confrontational politics.

Mr. Brake: But I am about to finish on a positive note.

In Committee, the Government would give no firm undertaking that they would support Liberal Democrat proposals to protect the groups that I have mentioned. I am very pleased that they have listened to our arguments, and to our concerns and those of Conservative Members. This is a refreshing and novel approach to government, and I would commend it to the House. We are very happy to support all the amendments in the group.

Mr. Gray: It is a pleasure to follow the hon. Member for Carshalton and Wallington (Mr. Brake), with whom I serve on the Select Committee on the Environment. He has an inexorable way of congratulating himself under all circumstances—he has that in common with the rest of his party. However, on this occasion, I am happy to congratulate him on the brevity of his remarks, if nothing else.

I am also pleased to congratulate the Government who, I am glad to say, listened so carefully to what Her Majesty's Opposition said in Committee that they have tabled new schedule 1, which seems to incorporate all the powerful and passionate arguments that we advanced in Committee. I only wish that, in some of the other Committees on which I serve, the Government were as ready to listen to the great sense and power of our advocacy as they appear to have been in this case.

I have severe reservations about whether domestic disconnections should be outlawed. However, if they were outlawed, it would be absurd if some of these very noble and distinguished public organisations were none the less allowed to suffer from disconnections. Equally, it would be absurd if, although schools could not be disconnected, institutions of further and higher education could be; and if, although hospitals could not be disconnected, organisations such as nursing homes could be. I therefore welcome the inherent logic in the Government's accepting our amendments Nos. 13 to 24—or, rather, replacing them with new schedule 1. There is a great deal of logic and sense in that, and Conservative Members welcome the Government's sense in listening to what we said and, to a limited degree, to be fair, to what Liberal Democrat Members said on the subject.

None the less, a huge absurdity underlies this debate. Several times in Committee, a certain phrase was used—the words escape my mind, but there was a definite absurdity in the way in which the debate took place, for the following reason. Of course those worthwhile organisations should not be disconnected, but there is no circumstance, and no one—in Committee, or in the Chamber tonight—has been able to outline any circumstance, under which any of those institutions would be disconnected. There is no likelihood that a hospital would be disconnected. There is no likelihood that a fire brigade—the headquarters or the fire hydrants—would be disconnected. None of the institutions listed in new schedule 1 has the remotest likelihood, under any circumstances, of being disconnected.

There is a curious feel about the debate. We are legislating against something that could not possibly occur. It is a waste of a debate and of a new schedule. The initial exemption of schools and hospitals that led to the new schedule and the debate was in itself an absurdity.

9.45 pm

The second absurdity is that if we accept that there is no likelihood that the listed premises will be disconnected, but none the less the Government are to legislate against the possibility that that will happen—this may have more to do with Labour's determination to live with regulation and legislation bearing on every minute detail of our lives; it loves control from the centre and loves saying, "This is what you, the water companies, will do"—and if we assume that it is reasonable that they should do so, and that they should say that schools, hospitals and the other worthy bodies listed in new schedule 1 should not be disconnected, what is the position of all the premises that are not listed in the new schedule?

For example, what is the position of Government offices? Under the Bill, it is possible that the Treasury or the Department of the Environment, Transport and the Regions, at its splendid new building opposite Victoria station, will be disconnected if an obscure civil servant somewhere on some occasion fails to pay the bill. Is that not ludicrous?

Another example is barrack blocks. It is possible that soldiers in those blocks will be disconnected from a water supply because the Ministry of Defence has failed to pay the bill. The Palace of Westminster is not exempt from disconnection. It is perfectly possible under the Bill that the Palace will be cut off and that the water that Ministers enjoy as they sit on the Treasury Bench will therefore not be available.

Mr. Brake: Perhaps the hon. Gentleman would like to explain to the House in what way hon. Members in the Palace of Westminster are a vulnerable group.

Mr. Gray: On reflection, one or two Members on the Liberal Benches might fall into that category. Those with minute majorities may well be looking vulnerable in two or three years' time. However, the hon. Gentleman is right in saying that we are not vulnerable groups in proper terms. Nor, indeed, are many of the categories listed in the new schedule.

My point—perhaps I have chosen a vaguely absurd way in which to make it—is that Her Majesty's Government pay hospitals' water bills, as they do for schools and for most of the categories listed in the new schedule. The only circumstances in which the bill would not be paid would be either if the Government chose not to do so—if, for example, the school or hospital had become roofless or disused—or if, through some minor inefficiency in the lower regions of whatever Department, a civil servant on some occasion forgot to pay the bill. Surely it is reasonable that in those circumstances, the water company would have the ultimate sanction of saying to the Government, "Look here, guys, you have not paid your bill; if you don't pay it we shall cut you off."

It is absurd that under the new schedule, many Government organisations may not be cut off even if they do not pay their bills, while other perfectly worthwhile Government organisations, such as the Palace and Government Departments, could be disconnected.

Mr. Donald Gorrie (Edinburgh, West): I think that the hon. Gentleman is in error in saying that civil servants pay the water bills of hospitals and other such premises. It is the employees of the health boards who do that. There are certainly health boards that I am acquainted with which make a mess of their financial affairs and might well come unstuck in this context.

Mr. Gray: I am happy to accept the hon. Gentleman's correction. He is right in saying that, technically, it is not civil servants who pay the bills, although they are public servants. Perhaps that would be the more accurate expression. I am glad that the hon. Gentleman is listening to me with such care as to spot the slight slip. I am happy to acknowledge his correcting it.

These exceptions constitute an absurdity, as do the premises that are missing. The new schedule as a whole is not anything to do with real and important legislation; it is more to do with two other things. First, there is Labour's determination to limit, control and regulate every aspect of our lives. It is determined to write down in law the minutest detail of everyday life. When the Conservative Government introduced a voluntary code of conduct, we found that for many years, the water companies did not disconnect very many domestic customers. Far less have they disconnected any of the worthwhile bodies that are listed in the new schedule. A voluntary code of practice for the water companies has worked perfectly adequately for many years, but the Government have now chosen to regulate through the new schedule.

The second aspect of new Labour highlighted by the new schedule is its love of the politically correct. It is marvellous for Ministers to say, "We care greatly for vulnerable people. That is why we will exempt them from disconnections. It is the fat cats in the water industry—those disgraceful people who are earning large sums of money—who have been cutting off schools and hospitals. We, the caring new Labour Government, are determined to stop that scandalous activity."

The truth is that no school and no hospital has ever been disconnected. No school and no hospital ever would be disconnected. A school or hospital would be disconnected only if it had failed to pay the bill.

There are two aspects of new Labour that the new schedule and the amendments highlight. One is its determination to regulate, down to the minute detail of our everyday lives. The second is its determination to be seen to be kind and fair to the most vulnerable in our society. Who would not be? It is a waste of Government time, legislative time and the House's time to legislate against something that by no stretch of the imagination would ever happen.

Mr. Meacher: I shall reply briefly, as there were two or three points on which I can give a factual response.

I was asked about the application of protection from disconnection in respect of student lodgings. Halls of residence attached to places of further and higher education will be protected, as will bedsits which qualify as houses in multiple occupation, and private dwellings where students rent rooms. That goes pretty wide.

My hon. Friend the Member for Milton Keynes, North-East (Mr. White) raised the important point about limiting devices—trickle valves—to enforce payment. I am aware that a small minority of people regard those as useful for budgeting purposes. I do not think that the retention of limiting devices is the best way to help them, but I take my hon. Friend's point that there is a role for Government to consider whether we should issue guidelines to water companies about ways in which they can assist individuals and families who want help with budgeting.

The hon. Member for North Wiltshire (Mr. Gray) had enormous fun and made a fairly knockabout speech. He argued that the new schedule was entirely fatuous because none of the institutions listed is likely to suffer disconnection. He is not quite right about that. The figures that we have, which are not complete because the water companies do not always keep such information, show that, over the past five years, for houses in multiple occupation where the landlord is not resident, there have been 16 cases of disconnection, and, for tenanted properties where the landlord is responsible for paying the bill, there have been 17 cases of disconnection. Both types of property involve groups who are vulnerable, and both will be covered by the provisions.

The hon. Gentleman is being a little unconcerned in failing to recognise that there is a genuine purpose behind the provisions. I hope that we will not have a further

[Mr. Meacher]

lengthy discussion of the matter, and that he will accept that such protection is desirable and that he should support it, not mock it.

Mr. Gray: The right hon. Gentleman is right about houses in multiple occupation and the other worthy cause that he mentioned. My remarks were not directed at them. My point was about schools and hospitals in particular, which are the only two categories that he mentioned in Committee and that were originally mentioned in the Bill. Government agencies could reasonably be expected to pay the bills of both those categories.

Amendment agreed to.

Amendment made: No. 32, in page 1, line 11, leave out from beginning to end of line 2 on page 2 and insert—

'(2) After Schedule 4 to the Water Industry Act 1991 there is inserted, as Schedule 4A, the Schedule set out in Schedule (*Schedule to be inserted in the Water Industry Act 1991*) to this Act.'.—*[Mr. Allen.]*

Clause 2

PROHIBITION OF USE OF LIMITING DEVICES

Amendments made: No. 33, in page 2, line 7, leave out 'excluded premises' and insert

'premises specified in Schedule 4A to this Act.'.

No. 34, in page 2, leave out lines 26 and 27.—*[Mr. Allen.]*

Clause 3

UNDERTAKERS TO CHARGE IN ACCORDANCE WITH CHARGES SCHEMES

Manuscript amendment made: in page 2, line 40, leave out 'section 61(7) above' and insert

'paragraph 1(2) of Schedule 4A to this Act'.—*[Mr. Allen.]*

Clause 5

REGULATIONS CONCERNING CHARGES SCHEMES

Mrs. Caroline Spelman (Meriden): I beg to move amendment No. 26, in page 3, leave out from end of line 19 to end of line 10 on page 4 and insert—

'143A.—(1) In making a charges scheme under section 143 above, a relevant undertaker shall have regard to any guidance issued by the Secretary of State in relation to the matters listed in subsection (2) below.

(2) For the purposes of subsection (1) above, the Secretary of State may issue guidance relating to the following—

(a) the factors to be taken into account in relation to the fixing, calculating and imposing of charges;

(b) the making available to consumers of alternative bases of charging; and

(c) the taking into account of the problems faced by the aged, ill and disabled.

(3) The Secretary of State shall arrange for any guidance given by him under subsection (2) above to be published in such a manner as he considers appropriate.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 29, in page 3, leave out lines 41 to 47 and insert—

'(a) prescribe in relation to any premises charged by reference to the volume of water supplied the classes of person for whom special provision is to be made by reference either to the financial circumstances of the consumer and the number of the consumer's dependent children or any person who has their home in such premises and who has a medical condition which requires the consumption of a volume of water in excess of a normal household level;'.

Mrs. Spelman: In Committee, more of the Government's thinking on the regulation of the water industry came to light. We were disquieted by the Government giving themselves enhanced powers. The force of the amendments is directed at what we see as a retrograde step in restoring more centralised control to a previously deregulated industry.

I stress that the amendments are in no way intended to lessen a proper degree of protection for vulnerable groups in society. The Government have said that special protection should be available for customers with a metered supply who, regrettably, suffer from certain medical conditions that require a high consumption of water—some of which are quite common, such as incontinence—and for large families on low incomes who, as any mother knows well, have a water consumption just short of that of a small Chinese laundry.

In an ideal world, the benefits system or the health service would be sufficiently sophisticated to deal with the essential needs of such people, but that seems unlikely at present. The Office of Water Services' national customer council believes that the majority of customers would not be opposed to a modest cross-subsidy within water companies' charging schemes to assist the most vulnerable groups of customers.

Amendment No. 29 merely restricts the Secretary of State's powers to those for whom special provision must be made in company's charges schemes. It represents simply a finesse of the Government's intentions, as a constructive Opposition might well be expected to produce.

However, amendment No. 26 reflects our serious concern about the enhancement of the Secretary of State's powers to make regulations as he or she sees fit. We take issue with the rather glib view that the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Mansfield (Mr. Meale), expressed in Committee that

"The Government have a legitimate interest in a wide range of charging issues. It must, therefore, be correct for democratically elected politicians to be able to play a role in decision making on the distribution of charges where distribution can have important social and environmental implications."

Surely that depends a great deal on what playing a role means. Those enhanced powers are a potential area of conflict with the industry's regulator.

The avoidance of conflict would seem to be possible only if the power and influence of the regulator is diminished in relation to the influence of the state. In case the Minister thinks that I am reading too much into the clause, I quote his defence of the enhanced powers. He said that they were necessary

"to avoid relying on Ofwat's economic regulation powers to achieve social and environmental aims."—*[Official Report, Standing Committee A, 12 January 1999; c. 68.]*

That, too, can be found in column 68 of *Hansard*.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Water Industry Bill may be proceeded with, though opposed, until any hour.—*[Mr. Allen.]*

Question agreed to.

Not amended (in the Standing Committee), again considered.

Question again proposed, That the amendment be made.

Mrs. Spelman: The Bill as drafted means that companies' charging schemes must comply with regulations set out by the Secretary of State. That represents a fundamental shift in the nature of United Kingdom utility regulation. Essentially, it makes the Secretary of State the regulator. The United Kingdom model of utility regulation is based on the principle of regulatory independence and is pioneering in the utilities market. That ensures that a regulator's objectives and duties, as well as those of the regulated companies, are those explicitly given by Parliament through primary legislation.

The Government's position, as stated in the Bill, appears to be at variance with their conclusion to the first stage of their own review of utility regulation, which was concluded last autumn. They stated that regulators should continue to be independent while having "regard" to the guidance that Secretaries of State could issue on social and environmental matters. Ironically, our amendment better reflects the Government's conclusion than the Bill.

I digress slightly to pick up an important point that was made when we were debating an amendment tabled by the Welsh National party, which relates to the question of which Secretary of State we are discussing. We learned a new piece of information about the Secretary of State's role in regulating the industry when reference was made to prescribing regulations during our discussion of new clause 1. We learned, to the surprise of Conservative Members, that the Secretary of State in question was the Secretary of State for Wales.

That is a major constitutional point, and we did not get an answer to the question from the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who asked whether that transfer of power would be governed by a concordat. I am reliably informed by my hon. Friend the Member for West Dorset (Mr. Letwin) that the Minister's clarification was inaccurate in that this Bill post-dates the transfer of functions under the Government of Wales Act 1998 and is not covered by it. The Minister may wish to revisit that issue in his reply.

Clause 5, if unamended, would fly in the face of the Government's declared regulatory principles and it represents a backward step in utility regulation. It will make companies' charging schemes comply with regulations issued by the Secretary of State. Such regulations will impose on companies and regulators objectives other than those determined by Parliament. That is yet another example of the Government taking back central control and showing their disregard for Parliament.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): Not surprisingly, I begin by saying that the Government are against the amendments, which we believe would restrict the protection of vulnerable consumers provided by the Bill. We have made it clear that we intend to specify in regulations vulnerable groups of people with high essential water use that should—as the hon. Member for Meriden (Mrs. Spelman) pointed out—be given protection when they face the prospect of a measured water bill. We have also made clear which groups we intend to protect: large families with low incomes and those with medical conditions requiring high water use.

We have good reason not to agree with the amendments. Amendment No. 26 would replace the Secretary of State's regulation-making power under clause 5 with a power to give guidance to water companies on the contents of charges schemes. We do not believe that that would lead to a better system of regulation. Indeed, it would not be better for customers because we would not be able to assure vulnerable customers that they would be protected from hardship.

Of course, as the hon. Member for Meriden said, we could give the water companies guidance about the sort of assistance that they should provide. However, as my hon. Friend the Member for Milton Keynes, North-East (Mr. White) warned, the companies would then decide how, and how far, to implement such guidance. That could well lead to a patchwork of different entitlements and systems of protection throughout the country. For instance, companies might choose to offer no assistance to those groups at all. Such an outcome would clearly not be acceptable. Nor do we believe that it would be better for the water companies. We have made it clear that we believe that, where the Government involve themselves in charging matters to achieve particular aims, they must operate as transparently as possible.

As drafted, clause 5 would provide the industry with a clear framework of essential requirements in which to work. The proposed amendment could lead to precisely the opposite, as companies seek to interpret the non-binding guidance and set out plans in the light of their interpretations. Therefore, the Government continue to believe strongly that the Secretary of State should have regulation-making powers in relation to charging schemes and we ask hon. Members not to press that amendment.

Amendment No. 29 would restrict the use that might be made of the Secretary of State's powers to assist vulnerable groups so that protection could be narrowly focused only on those groups and that situation, which the Government have already announced that we intend to protect. Household income, the number of dependent children and a medical condition requiring higher-than-average water use are crucial factors that identify those people who might be particularly vulnerable to a charge based on the volume of water used. The amendment would prevent any other target group being protected on other grounds. We would be unable to offer further protection to the elderly, the sick or the disabled if that turned out to be necessary. On the face of it, that is inconsistent with the raft of amendments tabled by the Opposition to protect a wide variety of groups from water disconnection.

Furthermore, it is unduly restrictive to say that the factors listed in the amendment are the only criteria on which it would be proper to identify those in need of help.

[Mr. Alan Meale]

The regulations, on which we will consult fully with the regulator, companies, customer representatives and other interested groups, will provide for the details of the scheme to protect vulnerable customers. Clause 5(3)(a) provides the overall framework within which the regulations will be prepared. The framework must provide sufficient flexibility for Ministers to respond promptly if it appears that charging arrangements are causing severe hardship to new groups of consumers.

In contrast, the amendment would limit special provision to those people who are paying on a measured basis. That would prevent the Government from providing any protection if, for example, some future unmeasured basis of charging by the water companies turned out to cause severe hardship to some classes of consumer. Under present charging arrangements, for instance, we do not propose to provide protection to customers paying unmeasured bills, but, in that and other areas, it is important to provide flexibility to respond through regulation if hardship occurs.

However, like my right hon. Friend the Minister for the Environment, I can offer some reassurance about the use of those powers to identify groups for special concessions. The Government are conscious of the fact that every concession enabling a vulnerable customer to pay a lower water charge than he or she would otherwise face can be funded only from the generality of charges paid by all other customers of that company. For that reason, we are determined not to adopt a scatter-gun approach to help for vulnerable groups. With a highly targeted approach, we can ensure that the impact of water charges can be softened to a worthwhile extent where it is most needed without imposing noticeable burdens on other water customers.

I hope that the hon. Member for Meriden will agree that the amendment is unduly restrictive and withdraw it.

Mr. James Gray (North Wiltshire): First, I congratulate my hon. Friend the Member for Meriden (Mrs. Spelman) on what I think was her first outing at the Dispatch Box—the first of many, I am certain. It was disappointing that the Minister was unable to accord her a similar courtesy across the Floor. It appears that the Under-Secretary is better at reading from the bit of paper in front of him than he is at making a more informed or amusing speech.

I resent the Minister for the Environment implying that I was being flippant or having a knock about when I discussed the previous group of amendments. I was not. I was making serious points, albeit light-heartedly. One of the points that I made was that Labour is determined to ensure that every aspect of our lives is written down in the small print of legislation. The new schedule was unnecessary, and one could argue that clause 5 is equally unnecessary and interferes with our way of life.

Clause 5 is a classic Henry VIII clause. It gives the Secretary of State powers that currently he does not have. It says, "You, Mr. Secretary of State, are the clever guy. You're the one who will decide which vulnerable category will be exempt from metering. You will decide our futures—not Ofwat, not the water companies, but the Secretary of State." That is why we have tabled these two amendments.

The amendments would allow the Secretary of State to provide guidance to which the water companies must have regard. Under the Bill, companies charging schemes must comply with the regulations set out by the Secretary of State, which is a fundamental shift in the nature of United Kingdom utility regulation. *[Interruption.]*

Hon. Members may say that I am reading my speech. That is quite right, but I hope that I am reading it with more passion, interest, authority and belief than the Under–Secretary. There is no question about it; there is a lot of passion in my speech.

At the moment, Ofwat is able to use its discretion and to decide what to do, and the water companies can also decide what to do. The clause dictates that the Government will lay down the categories of vulnerable people who will be exempt, and the water companies will be required to live up to that regulation. It makes the Secretary of State the regulator. Ian Byatt, the regulator, has gone to great lengths to say that he believes the clause fundamentally unbalances the entire UK utility regulation.

The UK model is based on the principle of regulatory independence. The whole notion behind utility regulation is that the regulators are independent. Their objectives and duties, as well as those of the companies, are given by Parliament through primary legislation. Parliament gives the regulator his rights; this clause takes rights back from the regulator not to Parliament, but to the Executive. It is a classic Henry VIII approach. The system of regulation that we set up in the original privatisation Bills is appreciated by all parties because it provides a balance between the Executive and the regulator.

Clause 5 flies in the face of the Government's declared regulatory principles. It makes companies charging schemes comply with regulations issued by the Secretary of State. That regulation imposes objectives on companies and regulators other than those determined by Parliament. It ignores the duties and the role explicitly given by Parliament to regulators. That is the first point I want to make about clause 5 in justification of our two amendments.

The second point is more meaty and concerns the vulnerable groups that clause 5 tries to protect. The Government are asking the water companies to provide a social service through differential tariffs. They are saying that these vulnerable groups will not pay, so there will be differential tariffs, which means that people who are not vulnerable will pay more. That is the clear implication of clause 5, and that is precisely why we are trying to amend it.

That is not to say that Conservative Members are being less than caring about those vulnerable groups. All we are saying is that the water pricing mechanism is not necessarily the way in which to help them. If the Government are searching for a way to help vulnerable groups, it may be useful to mention the notion of variations in income support. It is a curious fact that water bills vary hugely across England, largely because of the length of the pipework taking water into a person's home. In London, they are low: £180 in the Thames Water area. In the south-west, where distances are much greater, the bills are £300 or £400 depending on the state of the market. Irrespective of the difference in water bills across the regions, however, the income support element is exactly the same.

10.15 pm

If the Government are casting around to find useful ways in which to help vulnerable people, especially those who are least able to pay their water bills, let me repeat a suggestion that I made to the Secretary of State in Committee. He said then that he would consider it. May I suggest that the Secretary of State should have another look at regional variations in the water element of income support bills? That would be a real advance in helping those who are less able to pay their bills.

Mr. Shaun Woodward (Witney): Will my hon. Friend speculate for a moment on the principle that is at stake? It seems to me that the principle involves interference by the Government in a privatised company, and that the crucial aspect of that interference concerns the principle that is now being established. How far can that go? If we can interfere with the water companies, will there be interference in the future with other privatised companies in the fields of, for instance, energy or telecommunications? Will my hon. Friend speculate on that?

Mr. Gray *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman must speak to the amendments; he must not deal with what is happening in other utilities.

Mr. Gray: In that case, Mr. Deputy Speaker, I will not be tempted to respond to what I consider to be an extremely valid point. On Third Reading, we may have an opportunity to say more about the way in which the Bill takes away the water companies freedom to act, and moves them increasingly towards a quasi-regulated, quasi-nationalised status and away from the privatised status that they currently enjoy.

Clause 5 is a classic Henry VIII clause. It takes into the centre—into Westminster and into Whitehall—powers that are currently in the hands of the regulator and, through the regulator, in the hands of the privatised companies. The clause is centralising, regulatory and bossy, and our amendments are designed to lessen its effects.

Mr. David Ruffley (Bury St. Edmunds): I support the amendment.

During our debates on the Bill there has been some measure of agreement on core principles, including the importance of a voluntarist approach to the spread of metering. Unfortunately, under clause 5 of the Bill we have no voluntarist consensus: the Government have eschewed the spirit of voluntarism and have introduced measures of compulsion for which there are no obvious justifications.

My support for the amendment is based on evidence provided by my regional water company, Anglian Water. It is at the forefront of innovative designs of tariffs for vulnerable groups. I think that that is accepted throughout the industry. I am thinking of two in particular. I shall not give details, but they cater for low-income large families, and take account of the fact that they should pay less than the normal meter charges. Pensioners are also able to receive discounts in exchange for not being subject to a standing charge. Innovation of that kind will be stymied by the compulsion in the clause, particularly in the way in which power to design and innovate will be transferred from the private sector to the Secretary of State. Under the clause, the Secretary of State has the power to set regulations.

Many Conservative Members feel that this is an unwelcome move towards centralisation. In the free market world that we all seek to inhabit—even Labour Members seek to do so these days—is it not more sensible for private companies to design and innovate? A regulator or Secretary of State cannot possibly know or understand the particular customer profile or needs in a particular region. Are not private companies better placed to design products and particular tariff schemes to assist vulnerable groups? Is it not also true that the capacity of the 30-odd companies in the industry to promote innovative ideas must be greater than the capacity of the Department of the Environment, Transport and the Regions to do so?

It is that drag on innovation, that eschewal—*[Interruption.]*

Mr. Deputy Speaker: Order. May I ask the House to come to order? Far too many conversations are going on in the Chamber. It is unfair to the hon. Gentleman who is discussing the amendment.

Mr. Ruffley: The thrust of our argument is that innovation is better secured by the private sector. Conservative Members thought that we had persuaded the Labour party of that sector's disciplines, but it seems not when we consider the wording and effect of the clause, which is why we press the amendment.

There is the criticism that market failure may occur in the private sector. Perhaps water companies will not design innovative products to protect low-income families and vulnerable groups that we want to protect. What happens if bad water companies are not as innovative as Anglian Water? We do not have to look far to find the answer to that question.

Mr. Nigel Evans (Ribble Valley): Does my hon. Friend accept that, if direction goes to the Secretary of State and he starts to get involved in that matter, a number of companies, particularly in my area, where innovation goes towards assisting disabled groups—people with certain disabilities—encouraging them with their bills and developing the public service, may give up getting involved in that and wait for him to direct, so innovation will go out of the window?

Mr. Ruffley: My hon. Friend makes the point succinctly, as usual. The pressure on the private sector to innovate will be sub-contracted upwards to the state. The private sector will feel little pressure to improve its performance, which is why we find the clause so disappointing.

I asked earlier, what happens to non-innovatory private sector water companies? It is an obvious and important question. The answer is surely to go down a voluntarist route, which is to say that performance grades should be publicly released and publicised—naming and shaming those private sector companies that are not as assiduous in assisting vulnerable groups with new innovative schemes. We do that in relation to sewer flooding and

[Mr. Ruffley]

customer complaints. Why cannot we do it in relation to new tariff designs? It is on that basis that I support the amendment.

Mr. Burns: As the hour is late, I will not detain the House for long, but I should like to make some points arising out of the Minister's comments.

I can assure the House that we will not press amendment No. 29 to a vote. As my hon. Friend the Member for Meriden (Mrs. Spelman) said, in many senses it was a probing amendment. However, amendment No. 26 has far more serious implications. We made it plain during Second Reading and said vigorously in Committee that we had serious misgivings about the way in which the Government, through clause 5, seek to give the Secretary of State draconian powers to interfere and to regulate by order in a private company.

I should like to take the Minister back to the problem over which he and his colleagues seem to be completely knotted up and at sea. The Under-Secretary of State for Wales, the hon. Member for Cardiff, Central (Mr. Jones), was equally at sea when talking about the provision in the amendment, which is reflected in the Bill, relating to the Secretary of State. Throughout our discussions on clause 5 in Committee, references to the Secretary of State by the Under-Secretary and the Minister for the Environment related to the powers of the Secretary of State for the Environment, Transport and the Regions.

The Under-Secretary of State for Wales explained earlier today that all Secretaries of State are one and that the powers to transfer the contents of clause 5 and, in effect, amendment No. 26, would be transferred to the Welsh Assembly through the transfer of functions order. I seriously question whether he was correct in saying that. As he may have discovered by now, the transfer of functions order was laid before the House on 14 May 1998, seven months prior to the Bill being published. How, therefore, can the order be used to transfer functions from clause 5 of this Bill from the Secretary of State to the Welsh Assembly?

More than a simple transfer is needed because that order has already been made. I stand willing to be corrected, but I do not believe that those powers are included in that order. It would have helped matters if hon. Members had been given the opportunity to debate the order, but, despite demands from Labour Members, as well as my hon. Friends, it was not debated. I dispute whether an order that was published months before the Bill could now be used to transfer to the Welsh Assembly powers under clause 5 and the amendment, if it were made.

Mr. Meale: It is correct that the clause post-dates the Government of Wales Act 1998, but the Government have made clear their intention to transfer to the National Assembly for Wales most of the Secretary of State's functions relating to water and flood defence. Those existing functions will be addressed in the first Order in Council under the Act. Schedule 2, paragraph 17, provides for new functions on water and flood defence to be treated consistently. The hon. Gentleman should consult clause 14 of the Bill.

Mr. Burns: I am grateful to the Minister for seeking to clarify the position. His point is interesting and I shall read clause 14 and the other document that he mentioned. It would be unfair of me to ask the Minister any more questions because we want to make progress.

I find it staggering that despite the fact that the Bill is on Report, coming up to its Third Reading before it leaves this House to go to the other place, and despite the Committee proceedings, this is the first time that any mention has been made of the fact that the powers in clause 5 will be transferred, by whatever means, from the Secretary of State for the Environment, Transport and the Regions, through his right hon. Friend the Secretary of State for Wales, to the Welsh Assembly.

We had debates in which our speeches, which were not corrected, and those of Ministers were made on the basis that the powers in clause 5 would be used by the Secretary of State for the Environment, Transport and the Regions. We had debates ad nauseam in which we said that those powers were too great to give to a Secretary of State and there should be guidance. At no time did Ministers point out that those powers did not relate only to that Secretary of State because all Secretaries of State are indivisible and are one, so the Secretary of State for Wales would have those powers and they would be transferred to the Welsh Assembly. That is new information at this late stage. I am surprised that it has never been mentioned before. I just wonder whether the fact that the powers will be transferred is new to Ministers, who became aware of it only in the earlier debate on Plaid Cymru's new clause 1.

We shall not make any further progress on the issue today, so I shall not press it. The other place will be able to try to get to the bottom of it. Nevertheless, the Opposition feel as strongly about the matters dealt with in amendment No. 26 as we did in the debate on Second Reading. I therefore ask my right hon. and hon. Friends to join me in the Lobby to oppose the Government and to support amendment No. 26.

Question put, That the amendment be made:—

The House divided: Ayes 120, Noes 317.

Division No. 65] **[10.30 pm**

AYES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cran, James
Davis, Rt Hon David
(Haltemprice)
Day, Stephen
Duncan, Alan
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Horam, John

Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Sir David Madel and
Mrs. Caroline Spelman.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atkins, Charlotte
Austin, John
Baker, Norman
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael J *(Worcester)*
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen

Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Hanson and
Mr. Keith Hill.

Question accordingly negatived.

Mr. Meale: On a point of order, Mr. Deputy Speaker. In the previous debate, the hon. Member for West Dorset (Mr. Letwin) implied that there had been no debate in Committee about the transfer of functions to the Welsh Assembly. That was a mistake. At column 109 of the *Official Report* of Standing Committee A on 14 January, the Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, Central (Mr. Jones), outlined the whole debate. Unfortunately—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I had anticipated that the Minister was seeking to correct his own remarks to the House. He cannot, on a point of order, seek to correct someone else's—that is a matter for debate.

Mr. Meale: With your leave, Mr. Deputy Speaker, may I point out for the sake of clarity that—

Mr. Deputy Speaker: Order. This is a matter for debate. I am sorry, but I misunderstood what the Minister was about.

Mr. Meale: I am grateful, Mr. Deputy Speaker.

Mr. Deputy Speaker: The Minister should be, in the circumstances.

Clause 6

RIGHT OF CONSUMER TO ELECT FOR CHARGING BY REFERENCE TO VOLUME

10.45 pm

Mr. Burns: I beg to move amendment No. 30, in page 5, line 48, at end insert—

'(12) When under subsection (4) the Director upholds a water undertaker's refusal to give effect to a measured charges notice the consumer shall have the right to opt to pay as an alternative to the current charge either:—

(a) a charge assessed by the water undertaker by reference to the estimated volume of water supplied to the premises; or

(b) the water undertaker's average household charge

and any dispute between a water undertaker and a consumer as to the application of (a) above may be referred to the Director for determination under Section 30A above by either party to the dispute.'.

I reassure the House that this is a probing amendment. We are simple seekers after information, which the Minister will no doubt give us.

As any aficionado of the Bill will know, clause 6 adds new section 144A to the Water Industry Act 1991. It covers homes that currently pay for their water on an unmeasured basis under a charging scheme. It gives these consumers a new right to require their water company to charge them by reference to volume. Anyone who has been following the debate closely will know that, once the Bill becomes law, consumers who currently pay for their water on a rateable value basis will have the opportunity to have a water meter installed in most, although not all, cases. They will then have up to 12 months to decide whether they want to continue on a metered basis or revert to the rateable value basis. I suspect that many households will take that decision according to whether they like the size of their bills during those 12 months.

Clause 6 also provides that water companies should not have to install a water meter where it would not be "reasonably practicable" or where it would be unnecessarily expensive for them to do so. The vast majority of hon. Members will agree that the Government are right to include that perfectly reasonable qualification. It would place an onerous burden on water companies if there were a blanket requirement in the Bill for them to install a meter in every household that demanded one, even if it were technically feasible for them to do so.

The Bill makes no provision, however, for customers denied the opportunity to pay on an unmeasured basis—those required to continue to pay on a rateable value basis, which may involve their paying substantially more than if they were paying on a meter and thus paying only for the water that they consumed in a year.

The Minister looks a little puzzled, so let me elaborate. I understand that it is late and that he has had to work hard. There are a number of properties in multiple occupation—most comprising flats—which share a supply pipe. Also, the internal pipework of some of these properties is such that flats have individual cold water supplies but joint hot water systems. Older, purpose-built blocks of flats—in the local authority and private sectors—may have one supply pipe, which would make it very difficult, if not impossible, for a water company to install meters. Ironically, especially with local authority flats in that category, it is possible that residents will include owner-occupiers, elderly single pensioners or families with young children. Clearly, families will consume much more water than single pensioners.

The scale of the problem varies around the country, but it is widespread in the areas covered by Thames Water and Southern Water. The problem is likely to be greater in large cities such as London than in the south-west or more rural areas, where fewer blocks of flats are owned by local authorities. In such areas, the problem may be negligible.

A case highlighted on a recent Radio 4 consumer programme involved a Thames Water customer who lived in a flat, where his annual metered bill for both water and waste water services was £122. When he moved to another flat of similar size and value, which could not be metered, he ended up with a bill under the old rateable value system of just over £1,000. His water consumption and use of waste water did not rise beyond what he had averaged in his previous property, but, through no fault of his own, his water bill rose by more than £800 a year. I am sure that the Minister has some sympathy for that customer, whose problem no doubt is replicated elsewhere.

I am not asking the Minister for instant legislation, and I do not expect a solution tonight. However, by the end of this evening, the Bill will be only halfway through its progress through the House. I ask only that the Minister think about the problem to see whether a system can be devised that is fair to householders who are trapped in the way that I have described and who will not benefit from other provisions in the Bill. It is clear that the Government believe that the Bill will benefit consumers, and any system designed to overcome the problem that I have outlined must be fair to them and to the water companies. I hope that a realistic solution can be achieved.

I should like to help the Minister by giving him some information about the way in which companies voluntarily try to solve the problem. Their solutions are, by definition, ad hoc. As was noted in Committee, water companies have produced their own unique schemes to try to help people and families who are less well off by lessening the impact of their water and sewage bills.

I believe that I am right in saying that at least one of the water companies is prepared, if all residents agree, to meter an entire property, such as a block of flats that suffers from a problem, say, with a single-pipe supply, and split the bill equally. That may superficially appear attractive, and might, with some fine tuning and deeper thought, alleviate the problem. I see one flaw at the outset, however, concerning the metering of a block of eight flats, in which all families did not have similar backgrounds or consume similar amounts.

One could use extremes to illustrate the point, such as a single pensioner who lives in the same block as a young family with one or two young children. Such billing would be disproportionately unfair to that single pensioner. Would one be able to fine-tune a scheme further and reach some agreement with all residents, so that they paid proportions of the bill? Could estimate bills be issued?

To be frank, I do not know the answers to those questions. To be fair on Ministers, I would not expect them to come up with an instant answer. However, would they be prepared to think more about it, and consult the regulator and the water companies to see whether there is any way in which that might be a feasible way forward?

Would it be possible to allow people who are caught in the traps that I have described to be charged on the basis of an average household bill? Again, I do not expect Ministers to be able to give an instant answer, although it is reasonable to ask them to think about the matter. They may want to consult the regulator and water companies, so that, voluntarily, the Bill's benefits are extended to people who, through no fault of the water companies or the Government in drafting the Bill, may not receive the benefits enjoyed by others who live in less difficult circumstances, such as a property where there is a clear-cut opportunity to install a meter.

Neither of those ideas is ideal; they may not even, on reflection, be workable. It is however certainly worth the effort of looking into the matter further in order to come up with some other scheme that might seek to benefit further the customers to whom I have referred.

Mr. Meale: I shall try to be as helpful as possible—certainly on some of the points on which the hon. Member for West Chelmsford (Mr. Burns) required a response.

As hon. Members are aware, the Government want a water charging system that gives customers increased choice. For some people, that will mean opting to have a meter installed because they would prefer to pay a measured charge. However, as the hon. Member for West Chelmsford pointed out, in some circumstances it would be impractical, difficult or very expensive to fit a meter, such as in a block of flats where residents share pipes. We do not believe that it makes sound economic sense to force water companies to spend a disproportionate sum of money on fitting a meter in such instances. However, at the same time, we are concerned to ensure that customers who find themselves in such circumstances are not disadvantaged.

At present, customers who would benefit from paying on a measured basis may request the installation of a meter, but if that is impractical, they may find that the water company is unwilling to change the basis of their charging from rateable value. In our consultative document, "Water Charging in England and Wales: A New Approach", we recognise that that could be a problem for customers, and propose that in such cases householders should be able to pay on an assessed charge. We therefore strongly support the principle of protecting customers' interests in such circumstances.

The hon. Member for West Chelmsford rightly pointed out the rather strange case of Mr. Paul Slawson-Price, who moved from his flat in Kensington, where he paid a water bill of £122 a year, to one in Westminster, where the bill rose as high as £1,055.48. He rightly pointed out that the company—Thames Water—had existing powers to charge in the way that we would prefer, but that, although it had admitted that, it refused to do so.

11 pm

The protection that we require for residents can be delivered effectively through the mechanism—which we propose to introduce by clause 4—for the director general to approve companies' charges schemes. Moreover, by contrast with the arrangements detailed in the amendment,

[Mr. Meale]

the use of clause 4 would give water companies flexibility to consider arrangements for assessing charges that meet their customers' concerns.

I appreciate the offer that the hon. Member for West Chelmsford made when he suggested that the Government should be open to on-going ways in which we can try to help establish better systems for people caught in this way. We would also expect the regulator and the water companies to use that clause to enable satisfactory solutions to be found to the problem. We therefore believe that it would be unnecessarily prescriptive to set out procedures for calculating assessed charges on the face of the Bill. In the light of the assurances and help that I believe that I have given the hon. Gentleman, I hope that he will withdraw his amendment.

Mr. Burns: I am grateful to the Minister. May I seek clarification? At present, water bills are paid either according to a meter or on the basis of the rateable value system. Given those two systems of payment, would it be legal, at present or after the Bill becomes an Act, for a water company to start charging people for their water on a hybrid version of either scheme? What I—

Mr. Deputy Speaker: Order. Mr. Meale.

Mr. Meale: As I tried to explain to the hon. Gentleman, there are ways in which assessed charges can be introduced now. The water industry Acts enable that, and it is for the water companies to achieve that. In the specific case that the hon. Gentleman mentioned, the water company, Thames Water, chose not to do so. I believe that that effectively means that, yes, it could place its own charges that are found to be acceptable, and which, like all other charges, may be open to challenge by the customer to the director general. I believe that the hon. Gentleman is correct in that assumption.

Mr. Burns: I am grateful to the Minister for his comments and his clarification of the role of the regulator in this area. I said that amendment No. 30 was very much a probing amendment. I believe that I have probed enough, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 7

RESTRICTION ON CHANGE IN BASIS OF CHARGING.

Mr. Burns: I beg to move amendment No. 28, in page 6, line 33, at end insert—

'(5) Where a change in occupation of any premises occurs as a result of a change in ownership of those premises, a relevant undertaker may not begin to fix charges in respect of those premises by reference to volume in accordance with subsection 2(b) above unless the purchaser of the premises shall have been notified before the completion of the purchase of the undertaker's intention to begin charging by volume.'.

I suspect that, given the time, the Minister for the Environment will probably regret an almost throw-away line that he uttered in Committee, which has prompted us to table amendment No. 28. I shall be frank with the House. Until the Minister kindly pointed me in the right direction in Committee, I was unaware—it was total ignorance on my part—that a provision in the Water Act 1989 currently allows water companies to determine, at the point when someone sells their house and moves to a house that is new to them but may not be a new house, whether to charge the individual or the household for water and sewerage on a rateable value basis, if that is the existing system, or to change the basis to a metered system of payment.

I understood from the Minister, in Committee, that that power is rarely used. I think that he said that it is used in about 1 or 2 per cent. of cases, if that. The figure was minuscule. It is a very underused power. However, the power is there. In future, there may be circumstances where water companies, for whatever reason, would like to use it to compel people, when they move house to their new home—it may not necessarily be a brand new home—to change the system of charging from rateable value to metering.

The majority of people who are buying a newly built house will understand that they will be charged for their water and sewage by meter. For those who place a high priority on water bills, that will be a factor that they will take into account when they decide whether they will make an offer on a new house and buy it. They will have that knowledge as they will know what council tax band the house is in. Like any wise purchaser of a property, before they take a decision on what is a substantial investment, they will have all the information and be able to assess to a reasonable degree of accuracy their household bills and outgoings during the course of a year. That will determine many things such as the size of their mortgage.

With the power that we are discussing, the problem is that there is no way in which someone who is moving to a home that is new to him or her will know whether a water company will exercise its right under the original Act and decide to change the basis of charging for water and sewage. I suspect that the vast majority of people, including the vast majority of right hon. and hon. Members in the Chamber tonight, were entirely unaware that there is such a power in the original Act. That is because it is so little used. However, as I have said, that does not mean that it will always be so.

This could come as a rude shock, especially to a young family with two, three or four children, who are moving to a new house. They will have seen the particulars, including the rateable value. They have ascertained roughly what their council tax bill will be. They will have a rough idea, as a result of the old rateable value system, of what the water and sewage demand will be. They will then take a decision.

The power could come as a rude shock to them on two counts. Let us suppose that they move into the house and the local water company has decided that it will not charge for water and sewage on the rateable value that the family assumed when they bought the house. They suddenly discover that they will have a water meter. With young children, I suspect—this depends on the rateable value of the house—that they could end up paying significantly more for their water than they ever imagined in a month of Sundays.

That is unfair. It is not the fault of the new owners of the house that they have been caught in that situation. Of course, the water companies are legally entitled to exercise their rights under the original Act and take that course of action. It will cause bitterness to those families who are so caught, and I think that basically it is unfair. I think that everyone would agree with the concept that when is someone is buying a house or making a substantial purchase, he should have as many facts as possible available to him before he reaches a decision so he can use that information as part of the formative process of taking a decision.

Mr. Steve McCabe (Birmingham, Hall Green): I have a great deal of sympathy with the sentiment that the hon. Gentleman expresses, but I wonder why the amendment takes such a tortuous route. It requires water companies to notify potential purchasers before completion of the purchase. If the buyer decided to opt out at that stage, the exercise could be repeated ad infinitum. Why does not the hon. Gentleman accept the assurances that my right hon. Friend the Minister offered in Committee, when he said that he would consider requiring the water company to notify the householder before it levied the first charge? That would address the problem simply.

Mr. Burns: I know that the hon. Gentleman is relatively new to the House, but he is experienced enough to know that on Report, the House of Commons has the opportunity, as it does in Committee, to examine the Bill line by line and consider issues of importance to hon. Members and their constituents, and to ensure that the Bill is in the interests of those whom it is intended to serve.

We were not expecting to get on to the subject in Committee, and I can tell the Minister that it was rather by accident that we did so. Almost in a throw-away line, he unveiled the horror. I was totally unaware of it, I am not ashamed to admit. As the hon. Gentleman correctly reminds the House, the Minister said that he would consider the matter and return to it.

The right hon. Gentleman, very decently, said the same in response to our amendments to clause 1 with respect to other organisations and types of dwelling that should be included in the powers that apply to hospitals and schools, as we discussed earlier. I am grateful to him for keeping that pledge and drafting amendments for the House to consider tonight.

This is the last opportunity for us to discuss the Bill in the House, except for Lords amendments. The right hon. Gentleman will not be handling the Bill in the Lords, although obviously his Department will do so. As he did not table any amendments to meet the point raised by the hon. Member for Birmingham, Hall Green (Mr. McCabe), I hoped that our amendment would remind the Minister of what he had said in Committee.

Mr. Andrew Lansley (South Cambridgeshire): I am following with interest what my hon. Friend says, as I was not a member of the Standing Committee and therefore come new to the argument. Does he agree that it might be a difficult process for a water company if it was opportunistically looking to change to metering on a change of ownership of premises, and therefore having to find out when a purchase was being made? That might drive a water company to the greatly preferable system of notifying owners of properties in advance that on a change of ownership of the property, the company proposed to introduce metering. That would tend to be disclosed in the course of inquiries made by a purchaser's solicitors before exchange of contracts, not just before completion.

Mr. Burns: I am extremely grateful to my hon. Friend for that cogent and sensible point. He has to some extent anticipated what I was about to say. I want to make it clear to Ministers and to the House that it is not the purpose of this probing amendment to introduce some massive, bureaucratic, interfering system with the power of the law behind it, to oblige water companies to notify estate agents or anyone else. That would be impractical and probably impossible to operate, however clever a parliamentary draftsman was.

11.15 pm

I repeat that briefly so that no misunderstanding can arise. I am not suggesting, nor would I want in a month of Sundays, some horrendously bureaucratic system backed up by law. This is a probing amendment and I shall not unveil a master plan to the House tonight. But I should like to see—the Minister has woken up, which is encouraging—a system which becomes part of the ethos of buying and selling houses.

Estate agents always draw up details of properties, which invariably include the appropriate council tax banding, ground rents where relevant, and so on. I should like to see some informal system whereby an estate agent, when approached by a householder to sell his house, can discover from a water company whether a property will continue to be charged on its rateable value, or whether the system will be changed once it is sold.

Obtaining such information will become part of the natural functions of estate agents when selling a house, and water companies will be expected in a reasonable but short period to supply the information, so that it can go on the house details. Prospective buyers will then know the exact situation.

The water industry may require some code of practice to ensure that, once a water company gives such an assurance, it cannot go back on it. A system which was not a burden on businesses and not onerous to estate agents could be worked out which would then become part of the ethos of house buying.

I shall not seek to divide the House on the amendment. I seek only to put forward an idea to remind the Minister of his comments in Committee; and to discover whether he has been able to come up with any ideas in the intervening time—whether such a scheme is not feasible, which would explain the absence before us tonight of a specific amendment, or whether he will use another place to come up with some idea.

Mr. Meacher: That was a fairly long-winded reminder. However, I congratulate the hon. Member for West Chelmsford (Mr. Burns) on picking up a comment which I made in Committee—that a water undertaker has a right to impose a measured charge on a new owner-occupier. He has focused on a serious issue. I also pay credit to my hon. Friends, the Members for Birmingham, Hall Green (Mr. McCabe) and for Waveney (Mr. Blizzard), both of whom pressed me on the matter in Committee. I am sympathetic to it.

[Mr. Meacher]

The hon. Member for West Chelmsford said that he did not want a bureaucratic solution which would be complicated and difficult. His amendment states:

> "a relevant undertaker may not begin to fix charges in respect of those premises by reference to volume in accordance with subsection 2(b) above unless the purchaser of the premises shall have been notified before the completion of the purchase of the undertaker's intention to begin charging by volume."

That will be quite a bureaucratic process.

I appreciate that this is a probing amendment. The Opposition cannot be expected to come up with a desirable process; they simply raise the issue.

I say again that we are in sympathy with the underlying purpose of the amendment, even though we do not believe that it—or any other provision made by the Bill—is a necessary or appropriate means of tackling the problem. I shall explain why. Clause 7 would enable a water undertaker to begin charging a new occupier on a measured basis. That is fair enough, provided that the new occupier has the opportunity to find out the water charging regime that he or she will face in that new property.

The real problem is one of information rather than powers. Rather than prohibit the undertaker from charging on the new basis, we need to tackle the information gap. That is part of the much wider issue of information for house buyers. We have issued a consultation paper on proposals for making the process of house buying and selling mu[illegible] The consultation period finishes at the end of [illegible]nth and it will provide another type of information, which we will consider before we introduce our proposals.

In our view, it would be premature to legislate now, in isolation, on the responsibility for a single piece of information available for home buyers. I assure the hon. Member for West Chelmsford that the Government will be discussing information for purchasers with interested parties, including the Law Society, water companies and local authorities.

I share the hon. Gentleman's wish that arrangements should exist to protect home buyers from having metering sprung on them—we are at one on that—but I hope that he will withdraw the amendment, as it is simply not the best way of ensuring that information is made available to home buyers. I assure him that we intend to identify and promote a better way. I hope that he will accept that.

Mr. Brake: I will not detain the House for more than a couple of minutes. *[Interruption.]* I have been issued a challenge.

I have some sympathy with the amendment, the need for which did not emerge by accident, as the hon. Member for West Chelmsford (Mr. Burns) said, but because the Liberal Democrats asked the Minister about that need in Committee. It is regrettable that the Government have done nothing to address creeping metering, which is one of the key concerns in the Bill that have been highlighted by a number of reputable organisations.

The amendment could slow that trend, but it is not the most effective way of achieving that. Surely the exchange date would be better than the completion date, if we wanted to go down that route, but the most effective way of stopping creeping metering must be to give people genuine choice—to allow them to choose to have a meter and to choose to have it removed, at any point in the future. If the hon. Member for West Chelmsford had tabled such an amendment, we would have been happy to support it, but we could not support this amendment.

Mr. Burns: I am extremely grateful to the Minister for his comments. The amendment was clearly tabled to give the House an opportunity to discuss the matter and I certainly will not be pressing it to a vote.

Like the Under-Secretary of State for the Environment, Transport and the Regions, I was particularly puzzled by the latter-day claim by the hon. Member for Carshalton and Wallington (Mr. Brake) that, once again, "It was all the Liberal Democrats' doing." It was not.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 17

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendment made: No. 35, in page 10, line 36, after '1' insert

'and Schedule (*Schedule to be inserted in the Water Industry Act 1991*)'.—*[Mr. Betts.]*

New Schedule 1

SCHEDULE TO BE INSERTED IN THE WATER INDUSTRY ACT 1991

"SCHEDULE 4A

PREMISES THAT ARE NOT TO BE DISCONNECTED FOR NON-PAYMENT OF CHARGES

1.—(1) Any dwelling which is occupied by a person as his only or principal home.

(2) In this paragraph "dwelling" means—

- (a) a private dwelling-house (which may be a building or part of a building),
- (b) a caravan within the meaning of Part I of the Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968), or
- (c) a boat or similar structure designed or adapted for use as a place of permanent habitation.

2.—(1) Any house in multiple occupation which does not constitute a dwelling within the meaning of paragraph 1 above and in which any person has his only or principal home.

(2) In this paragraph "house in multiple occupation" has the meaning given by section 345(1) of the Housing Act 1985.

3.—(1) Accommodation for the elderly in which a person has his only or principal home.

(2) In this paragraph "accommodation for the elderly" means residential accommodation to which sub-paragraph (3) or (4) below applies, but which is not a dwelling within the meaning of paragraph 1 above or a house in multiple occupation within the meaning of paragraph 2 above.

(3) This sub-paragraph applies to residential accommodation—

- (a) which is particularly suitable, having regard to its location, size, design, heating systems and other features, for occupation by elderly persons,
- (b) which it is the practice of the landlord to let for occupation by persons aged 60 or more, and
- (c) where the services of a warden are provided.

(4) This sub-paragraph applies to any building or part of a building designed or adapted for use as residential accommodation for elderly persons.

4. A hospital within the meaning of section 11 of the Public Health (Control of Disease) Act 1984.

5. Premises used for the provision of medical services by a registered medical practitioner.

6. Premises used for the provision of dental services by a person who under the Dentists Act 1984 is permitted to practise dentistry.

7.—(1) Premises used for the provision of personal medical services or personal dental services under a pilot scheme.

(2) In this paragraph "personal medical services", "personal dental services" and "pilot scheme" have the same meaning as in Part I of the National Health Service (Primary Care) Act 1997.

8.—(1) A residential care home, nursing home or mental nursing home.

(2) In this paragraph—

"mental nursing home" means anything which is a mental nursing home within the meaning of the Registered Homes Act 1984;

"nursing home" means anything which is a nursing home within the meaning of the Registered Homes Act 1984 or which would be but for section 21(3)(a) of that Act;

"residential care home" means—

(a) an establishment in respect of which registration is required under Part I of the Registered Homes Act 1984 or would be so required but for section 1(4) (small homes) or section 1(5)(j) of that Act (establishments managed or provided by government departments, etc.),

(b) a building or part of a building in which residential accommodation is provided under section 21 of the National Assistance Act 1948.

9.—(1) A children's home.

(2) In this paragraph "children's home" means—

(a) a community home within the meaning of section 53 of the Children Act 1989,

(b) a voluntary home within the meaning of section 60(3) of that Act,

(c) a children's home registered under Part VIII of that Act,

(d) a home providing (or usually providing or intended to provide) care and accommodation for three or fewer children at any one time, other than a home which is (or would, if it provided care and accommodation for more than three children at any one time, be) exempted from registration under Part VIII of that Act—

(i) by or under any of subsections (4), (5), (7) or (12) of section 63 of that Act, or

(ii) by regulations made for the purposes of subsection (3) of that section by the Secretary of State.

10. A school within the meaning of the Education Act 1996.

11.—(1) Premises used by an institution within the further education sector or an institution within the higher education sector for, or in connection with, the provision of education.

(2) In this paragraph the references to an institution within the further education sector or within the higher education sector are to be construed in accordance with section 91 of the Further and Higher Education Act 1992.

12. Premises used for the provision of day care for children by a person who is registered under section 71(1)(b) of the Children Act 1989 in respect of the premises.

13.—(1) A prison or detention centre.

(2) In this paragraph "prison" means—

(a) any prison, young offender institution or remand centre which is under the general superintendence of, or is provided by, the Secretary of State under the Prison Act 1952, including a contracted out prison within the meaning of Part IV of the Criminal Justice Act 1991,

(b) any secure training centre within the meaning of section 43(1)(d) of the Prison Act 1952,

(c) a naval, military or air force prison.

(3) In this paragraph "detention centre" means any premises which are used solely for detaining persons under the Immigration Act 1971 or the Asylum and Immigration Appeals Act 1993, but which are not a part of a prison.

14. Premises occupied for the purposes of a police force.

15. Premises occupied for the purposes of a fire brigade maintained in pursuance of the Fire Services Act 1947.

16. Premises occupied for the purposes of the provision of an ambulance service by a National Health Service trust established under Part I of the National Health Service and Community Care Act 1990.".—*[Mr. Betts.]*

Brought up, read the First and Second time, and added to the Bill.

Order for Third Reading read.—[Queen's consent, on behalf of the Crown, and Prince of Wales's consent, on behalf of the Duchy of Cornwall, signified.]

11.25 pm

Mr. Meacher: I beg to move, That the Bill be now read the Third time.

At this stage, I will be extremely brief, which will reflect the will of the House. I simply want to say that this is a short, but an extremely important, Bill. It has three main aims for England and Wales. It will promote increased consumer choice, provide protection for vulnerable groups and prohibit disconnection of the water supply for certain groups. As I would be the first to recognise, it has been improved by deliberations in Committee, to which I carefully listened. On that basis, I strongly recommend it to the House.

Mr. Burns: No doubt, the House will be reassured to know that I will be equally brief. The Opposition did not oppose the Bill on Second Reading. We had serious misgivings about clauses 4 and 5, which we raised then and, at length, in Committee. As a result of the debate today, we still have serious misgivings about the increased powers of the Secretary of State and his powers to interfere in the whole process, but we will not change our position and oppose the Bill because, as the Minister for the Environment generously mentioned, it has been improved in a number of ways, where the Minister has been prepared to listen and make the necessary arrangements.

11.26 pm

Mr. Brake: I merely wish to say that we are happy for the Bill to make further progress.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Christians (Indian Sub-Continent)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

11.27 pm

Mr. David Winnick (Walsall, North): Like all my colleagues, I am strenuously opposed to all forms of racial and religious discrimination, hence the way in which we have long campaigned—certainly in the Labour party—for tolerance, and non-discriminatory policies and practices for minorities of all kinds, including in Britain in the post-war years in particular, Hindus, Sikhs and Muslims.

I asked for this debate to outline the position for Christians on the Indian sub-continent and to ask the British Government to let the Indian and Pakistani authorities know of our deep and continuing concern about what has been happening there recently. In raising this matter, I recognise—as we all do—that India has maintained democracy while facing far greater social problems than we face in Britain.

However, more recently, some extremists in India have become more intolerant towards Christians. I shall describe a particularly brutal and murderous case. On 23 January, Graham Staines, a 55-year-old missionary, was murdered with his two sons, Philip, 10, and Timothy, 8, when their vehicle was torched. As they tried desperately to get out of the vehicle, the mob ensured that that was impossible—they were burnt alive. Mr. Staines had worked with leper patients for more than 30 years in India. Surely, no one can dispute the good work that he did for so many people in that time.

On Sunday, three days ago, two Christian teenagers—a girl and a boy—were murdered and another teenager seriously injured in an eastern state in India. Sadly, those are not isolated incidents. All the evidence points the finger at various extremist groups, some of which are connected with the ruling Bharatiya Janata party.

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): Does my hon. Friend accept that India is a secular state, and that it respects all religions equally and allows everyone to worship equally in that spirit? That has been the case for hundreds of years, and that has been the spirit since independence.

Mr. Winnick: Yes, and that is why it is all the more sad that these incidents and tragedies have occurred. I accept what my hon. Friend said, and I am sure that he will agree that, against that background, it is unfortunate that such extremist actions have been taken. They are, in the main, carried out by extremist Hindus who do not represent the vast majority of people of their religion in that country.

Graham Staines's widow has accused an extremist group connected with the ruling party of being responsible for what happened to her husband and children. It is known by the initials RSS and is sometimes referred to as a national volunteer corps of the BJP.

I am referring to extremist elements; this is not a criticism of the Hindu religion. Indeed, my hon. Friends the Members for Halifax (Mrs. Mahon) and for Cynon Valley (Ann Clwyd) raised a point of order today about extremist Christians. We should be concerned about extremists anywhere, whatever their religion or even if they have no religion. In India, an extremist group believes that its role is to create an atmosphere of hatred against the Christian minority. That is why I am raising this matter.

Mr. Tony Colman (Putney): The debate is about the position across the Indian sub-continent. Will my hon. Friend join with me in condemning the persecution of the Ahmadiyya Muslims in Pakistan? I am sure that the House universally condemns that action.

Mr. Winnick: Yes, indeed. I condemn all forms of persecution and intolerance. I shall refer briefly to Pakistan, because the subject of my debate is the Indian sub-continent.

The BJP is the ruling party in India. It is a nationalist, right-wing, Hindu-based party which came to power two years ago. Since that time, there have been attacks on churches, convents, schools and other properties belonging to the Christian community. In November last year, the RSS attacked a church in a village in south India. Members of the congregation were severely beaten up, and the pastor had to be taken to hospital. In September last year, four nuns belonging to the Foreign Missionary Sisters were gang rape[illegible] thugs in a state in central India. Those ugly incidents cause the deepest concern in the international community, and certainly in Britain.

There have been more than 100 reported incidents against Christians in India in the past two years. It is a matter of deep concern that a pogrom atmosphere has been building up against the Christian minority, particularly in the past two years. The position is serious enough without exacerbating it, but sometimes the authorities in India show indifference when dealing with the culprits.

Mr. John Randall (Uxbridge): The hon. Gentleman said that he would refer to Pakistan, and the hon. Member for Putney (Mr. Colman) has mentioned the situation there. Does he agree that, whereas the problem in India is caused by extremists, when it comes to Pakistan, certain laws have been passed by the state that unfairly discriminate against minorities, particularly the Christian minority?

Mr. Winnick: Certainly I agree, and I shall refer to that later.

The brutal killing of Mr. Staines and his two sons prompted condemnation from senior Ministers in India. I understand that an inquiry is to be set up, and I welcome that.

Let me say, particularly to my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar), who intervened earlier, that India has a good record—leaving aside the controversial and complex problem of Kashmir—of general tolerance of religious minorities. That was the record for many years—before Britain was involved in any way, during British rule and certainly during most of the post-independence period, owing to good work on the part of the Indian authorities, which has been recognised in this country.

Let me illustrate the way in which the position has changed. Between 1964 and 1996, 38 cases of violence—38 cases in 32 years—were reported against Christians in

India. Last year alone, 136 were reported. Some say that is the result of the BJP's winning the election two years ago. They say that the extremists—not necessarily Ministers in the Indian Government, but extremists who are affiliated to the BJP or support it in elections—feel that they have more freedom to demonstrate their intolerance, and to whip up hatred of the Christian minority, than they had before. Christians constitute about 2.5 per cent. of the Indian population.

Reference has been made to the position in Pakistan. I believe that the blasphemy laws in that country are often used purely for malicious and arbitrary reasons. Given such laws, it is not difficult for those who have a grudge against a neighbour or are in debt to deal with the grudge, or not pay the debt, by reporting the person concerned to the authorities under the blasphemy laws. I believe that, as with the position with Hindus in India, most Muslims in Pakistan oppose the practices that I have mentioned. It is unfortunate that those blasphemy laws in Pakistan can be used, and sometimes are used, to persecute the small Christian minority. I should add that Amnesty International has made clear its disquiet about the position in Pakistan.

It is not a question—I do not suppose that any of my hon. Friends is surprised to hear this—of trying to take India's side against that of Pakistan, or of taking the side of Pakistan against that of India. It is simply a question of making it clear that we are totally opposed to discrimination and intolerance. We have been against that in our country, even at times when such opposition has not been very popular. Even when it might have lost us votes, we have made our position clear and have stood by our principles. If that is so in this country, we have a duty and a responsibility to defend minorities elsewhere, and we shall continue to do so, even if at times that causes some disquiet in the Indian high commission or the Pakistan high commission, or among others here who feel that we are attacking their native country. Be that as it may, we work on the basis of certain principles, and will continue to do so.

Mr. Keith Vaz (Leicester, East): My hon. Friend mentioned the Indian high commissioner. The commissioner has written to him stating that the Government condemn the attacks. What more can the Indian Government do?

Mr. Winnick: I shall ask the Minister to make it perfectly clear that the British Government are very concerned about the change in the position in India, which I have already explained, and want the Indian authorities to do all that they can, first, to bring the culprits to justice and, secondly, not to allow an atmosphere in which it is easy for some thugs to attack the Christian minority. That is more or less what we want in our country and have worked for, as my hon. Friend knows.

Mr. Simon Hughes (Southwark, North and Bermondsey): Another suggestion might be helpful and find acceptance with both the Indian authorities and those in Pakistan and Bangladesh, which have had trouble with several religious minorities, not just Christians. The Commonwealth might be able to facilitate some way to support Governments in upholding secular states and rights of minorities, as well as bilateral Government relations. The Commonwealth could be helpful both to Her Majesty's Government and to the Governments of our friends in the Indian sub-continent.

Mr. Winnick: I accept that point, but India and Pakistan are as independent as this country and, if they really have the will to do so, they can deal with the matters that cause us deep concern.

I reject the notion that, in raising the issue, I am anti-Indian or anti-Pakistani—nothing of the kind. The only thing I am anti in these matters is prejudice, whether that occurs here or abroad.

I understand that missionary work can sometimes cause offence. I accept that some extremist missionaries, usually—perhaps not surprisingly—from the United States, go about their business in a way that can cause disquiet and offence, but, often, the attacks and the atmosphere that are being created are directed against law-abiding people in India who happen to be Christians and who are seen as a soft target. I understand that the British Government have expressed some protest or concern. As I have said, I hope that they will continue to make known the matters that cause us concern, which I have been speaking about.

I want to keep my remarks brief, so I say simply that I do not believe that what I have said would have been disputed by the founding fathers of both India and Pakistan. They wanted to establish independent countries where, as has been mentioned, religious minorities would have the same rights as the religious majority. They wanted tolerance. To a large extent, in the post-independence period, that has been achieved, perhaps particularly in India. Therefore, in raising these issues, it is necessary for us to recognise that human rights are a cause for us in all countries.

As my hon. Friend the Minister knows, earlier today, there was a debate on human rights for women. We want human rights for all. We want people who belong to a religion to have rights and those who do not adhere to a religion to have the same rights. It causes me regret that I have had to raise the matter, but I was right to do so. I will listen carefully to what the Minister says in response.

11.43 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): I congratulate my hon. Friend the Member for Walsall, North (Mr. Winnick) on winning the ballot and securing the debate. His record on issues relating to human rights, freedoms of religious minorities and minorities generally compares with that of any hon. Member. We owe him a debt of gratitude for giving the House an opportunity to discuss a serious issue that, interestingly, has provoked several interventions, something that does not normally happen in an Adjournment debate at this time of night. It is a matter that causes concern here and, of course, in the Indian sub-continent.

We must deplore religious intolerance, whether it occurs in this country or anywhere else, but it is particularly disturbing that we are debating intolerance in the Indian sub-continent because Britain still has many ties with it. Hon. Members who are present tonight represent thousands of people whose ties with India and Pakistan are still intimate and will be for the indefinite future. Therefore, it is in a spirit not of criticism but of

[Mr. Tony Lloyd]

genuine fellowship and concern that we express our sorrow at the reports of attacks on religious minorities in those countries.

As my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) said, India has been seen for many years as a model of a successful, religiously diverse and democratic state. It has won high standing throughout the world for the respect for, and even celebration of, religious diversity there. India is one of the great countries of the world and has more than 950 million people, so diversity is inherent in India's identity. Anybody who has travelled across even small parts of India knows that its diversity is enormous and one would normally expect to see such diversity spread across a continent, rather than in one country. The majority of the population are Hindu, but people of all faiths co-exist there, including Christians, Muslims, Sikhs and Buddhists.

The concept of an Indian state in which all religions flourish was central to the thinking of the founders of modern India, including Mahatma Gandhi, who wrote:

> "Indian culture is neither Hindu, Islamic or any other, wholly. It is a fusion of all".

Those who grew up when I did certainly felt that the influence of Gandhi and Nehru, and their part in establishing that secular India—home to all its people—was an important statement to the whole world.

After independence, the right to freedom of religion was enshrined in India's constitution. Article 25 of the constitution states:

> "all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion."

That is one of the most unambiguous statements of commitment to religious freedom to be found in any country's legal system. It is therefore uncharacteristic for India to witness attacks on religious minorities such as those to which my hon. Friend the Member for Walsall, North has referred. It is all the more disturbing that so many incidents have been reported in the past few months.

My hon. Friend referred to several examples and I shall repeat some of them to demonstrate the gravity of the attacks. Last July, there were reports of the burning of bibles and attacks on staff at Christian schools in Gujarat. Muslims have also been targeted. We heard reports that, at the end of July, 350 Muslims fled from a village in Gujarat, fearing attack after two Hindu girls had eloped with Muslim boys. My hon. Friend referred to the reports of the gang rape of a group of nuns in Madhya Pradesh and the subsequent looting of the convent.

At the end of the year, we received reports that, on Christmas day, a rally was held in Gujarat to demonstrate against Christian conversions. My hon. Friend referred to the inflammatory climate and the speeches made against Christians, which led to vehicles being burnt and stones thrown, culminating in injury to three Christians. In another area of the same state, also on Christmas day, reports state that three churches were attacked and a Christian school set on fire, resulting in injuries to the principal. Attempts were made to destroy another school. We understand from press reports that, two days later, four more churches were attacked in the same state.

My hon. Friend referred to one of the most horrific events—the brutal murders of Graham Staines and his two sons. We know that those murders were committed by a mob, apparently angered by missionary activity in the state of Orissa. As my hon. Friend pointed out, it is bizarre that Mr. Staines had spent the bulk of his adult life working for the most marginalised people in Orissa, the victims of leprosy. I must simply record that we read of such attacks with dismay. For most of us, it is almost beyond belief that two young children were murdered as my hon. Friend described.

My hon. Friend referred also to reports being made as recently as this week of the murders of two Christian teenagers in another district of Orissa and an attack on another youth in the same incident.

The Indian United Christians Forum for Human Rights has claimed that the number of attacks against Christian institutions in 1998 was more than the total number between 1964 and 1997. The claim supports the statistics provided by my hon. Friend the Member for Walsall, North.

We have to ask ourselves—not to minimise the situation, as we must not try to minimise such horrendous attacks—whether, in such disparate parts of the Indian sub-continent, there is a single root cause of the attacks. The statistics in a country of 950 million people might be brought into perspective if compared with our own statistics. I therefore tell the House that, although we must be forthright in condemnation, we must not stigmatise all of India because of attacks on Christians in some parts of it. It would not be fair or acceptable to do so.

Mr. Winnick: I am sure that the terrible attacks and tragedies that have occurred have been condemned by the overwhelming majority of Indians; I have not the slightest doubt about that. We are dealing with extremist groups which have been encouraged by the election of a very right-wing, nationalist, Hindu-based party that is known for its intolerance. We have to recognise that unfortunate fact.

Mr. Lloyd: I should make it clear that there is no difference between my hon. Friend and myself in our view that India generally, and the Indian population generally, are not guilty of the crimes.

The attack on Graham Staines and his sons has caused anger and anguish in India itself. Significantly, condemnation by the press and major political parties has been unanimous. We should also establish the fact that protest has come first and foremost within India. As my hon. Friend said, the Government of India have responded with a clear denunciation of the attacks and an appeal for a return to India's traditional values of tolerance.

I should like publicly to welcome the forthright statement by the Indian president, President Narayanan, that condemned all attacks on religious minorities and called the murder of Graham Staines and his sons a "barbarous killing" and

> "a monumental aberration from the traditions of tolerance and humanity for which India is known".

I also commend to the House the address by the Indian Prime Minister on the anniversary of Gandhi's death, last month, in which he undertook to

> "protect all sections of the people, irrespective of their gender, caste and faith".

Those are important statements by the most senior figures in the Indian Government.

Mr. Stephen Pound (Ealing, North): As my hon. Friend moves towards the end of his reply, he has been concentrating on India. However, the subject of the Adjournment is the Indian sub-continent. Although I am sure that he was about to deal with other parts of the sub-continent, will he accept my assurance that, like many other hon. Members, I have a great many people from Pakistan in my constituency who have Christian families in Pakistan who are today—now—applying for asylum in the United Kingdom because of a real fear of persecution on solely religious grounds? There are at least 1.3 million Christians in Pakistan, possibly more. Like many other hon. Members, I am greatly concerned about the increase in the number of people applying for asylum. I am sure that my hon. Friend was planning to mention the issue, and I apologise for perhaps anticipating him.

Mr. Lloyd: If my hon. Friend will bear with me, I shall deal in a moment with the situation in Pakistan.

Over several months, the Government have clearly stated our concerns to the Indian authorities. During his visit to India last November, my right hon. Friend the Minister of State expressed our concerns about attacks on religious minorities to the Indian Home Minister and urged that action be taken to restore the confidence of the Christian minority in India.

My right hon. Friend the Foreign Secretary recently raised the issue of the position of religious minorities in India with the national security adviser and principal secretary to the Indian Prime Minister.

Furthermore, last year, the high commission raised our concerns with senior figures in the Bharatiya Janata party, including the general secretary and the vice-president. In the context of the remarks made by my hon. Friend the Member for Walsall, North, it is important that I should make that clear.

I am pleased to report that there has been some progress in the Indian authorities' response to the incidents. The human rights commission has been invited to investigate the murders of Graham Staines and his family. That is in addition to the formal commission of inquiry headed by the Indian Supreme Court Justice, which has been asked to report to the Indian Home Minister. We look forward to reading the findings of this and other inquiries. Suspects have already been arrested, and we very much hope that all the perpetrators will be brought to justice.

The incidents in Gujarat are being investigated by the National Commission for Minorities, and suspects have been taken into custody. I understand that arrests have been made in the case of the rape of the nuns in Madhya Pradesh in September. We are encouraged by those developments, and by the determination of the Indian authorities to bear down against the perpetrators of this evil in Indian society.

The position of minorities, including Christians and Ahmadiyya Muslims, in Pakistan is also a cause for concern. Like India, Pakistan's founding fathers were wholly committed to religious tolerance. The founder of Pakistan, Muhammad Ali Jinnah, said:

> "You may belong to any religion, caste or creed . . . There is no discrimination, no distinction between one community and another".

Jinnah described himself as the

> "Protector General of the Hindu minority in Pakistan".

Article 20 of Pakistan's constitution makes it clear that there is a right to practise, profess and propagate religion, and that there should be the right to establish, maintain and manage religious institutions. There are constitutional protections, but the rights of minorities there are abused.

Many hon. Members will have read a disturbing article called "Beyond Belief" which detailed various examples of discrimination against Christians. Accusations of blasphemy can and have led to death sentences. In the most widely known case, Ayub Masih, a Pakistani Christian, was accused of blasphemy and sentenced to death after intervening in a dispute with a Muslim man who wanted to seize land from his parents. Masih was shot and injured as he was being led to court. The Sharia Bill, currently before Pakistan's Senate, has given rise to further concerns over the position of non-Muslims in Pakistan.

Mr. Colman: Will my hon. Friend give way?

Mr. Lloyd: No, I will not, if my hon. Friend will forgive me.

My right hon. Friend the Minister of State has completed a three-day visit to Pakistan. I can tell the House that, on Monday, he raised the issue of religious minorities with Pakistan's Minister of Law. He told the Minister of the great concern in the UK. The Minister made the point that there was concern in Pakistan as well.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes to Twelve midnight.

House of Commons

Thursday 11 February 1999

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

The Secretary of State was asked—

Teachers (Training Days)

1. **Dr. Tony Wright** (Cannock Chase): What plans he has to amend the current arrangements for training days for teachers. [68872]

The Minister for School Standards (Ms Estelle Morris): This summer term, teachers of pupils in key stages 1 and 2 will receive an extra day's training in the teaching of literacy or numeracy. The Green Paper "Teachers: Meeting the Challenge of Change" notes the Government's concern that a high proportion of training takes place within school time, which has a disruptive effect on children's education, and envisages training taking place outside the school year when that is feasible. If teachers are expected to take training courses outside directed time, national pay and conditions already allow them to be paid for doing so.

Dr. Wright: I am grateful to the Minister for that answer. Does she agree that the present system of training days—which we used fondly to call "Baker days"—is the cause of a good deal of disruption in schools? It disrupts life for parents and is disruptive for children. There is a lack of co-ordination inside the system, and there is no consistency across the country or within local authorities. Sometimes infant and junior schools on the same site—and with the same set of parents involved—have different days. That must surely be sorted out. Whatever else my hon. Friend does, will she at least ensure that training days are adjacent to holidays so that disruption is minimal?

Ms Morris: I take my hon. Friend's point. Clearly, it is a matter for local authorities and others to decide when in the school year the training days will take place. I hope that they will make that decision in the interests not only of children but of parents, who have to make other arrangements.

Parents want those training days to take place. This year alone, three training days have been used to support teachers in the literacy strategy, and next year they will be used for the numeracy strategy. They are an important part of our crusade to raise standards. I hope that my hon. Friend's comments will be listened to at local level, and that appropriate action will be taken.

Mr. Michael Fallon (Sevenoaks): Why should children lose five days' schooling because of some deal negotiated 12 years ago with the trade unions? [HON. MEMBERS: "Negotiated by you."] By whoever. Instead of letting local education authorities decide the matter, why not give the money to the head teachers and let them decide whether their schools should be closed?

Ms Morris: If, given his article in *The Times* today, the hon. Gentleman is so concerned about what he clearly thinks is a major issue, one wonders what he was doing during his time at the then Department of Education and Science. Training days are days outside the school year in addition to the 190 days on which teachers teach pupils. Is the hon. Gentleman suggesting for one minute that teachers do not need to be trained to do the job? The training that they have on those five days is part of their continuous professional development, which is essential if we are to achieve the standard of training that we want. The hon. Gentleman will be interested to know that the Government have massively increased the amount of money available to schools under the standards fund and the school improvement grant. At long last, teachers can catch up on the training that was denied them by the Conservative Government for far too long.

Nursery Education

2. **Judy Mallaber** (Amber Valley): If he will make a statement on *(a)* his timetable for and *(b)* the means he will employ to achieve the doubling of the number of children in nursery education. [68873]

The Secretary of State for Education and Employment (Mr. David Blunkett): Over the next three years, we will double the number of free nursery education places for three-year-olds. We shall spend an additional £390 million. In the coming year, 50 of the most deprived authorities will receive specific grant, and in the following two years all authorities will receive the grant in addition to the standard spending assessment allocations that have been made to them.

Judy Mallaber: I thank my right hon. Friend for that answer. Does he agree that the three-year-olds in the 50 education authorities selected for next year, who will be able to obtain a pre-school place, will be more ready and able to learn when they attend school? Does he recognise that, although those 50 authorities represent severely deprived areas, there are many smaller areas of deprivation in constituencies such as mine that do not satisfy the criteria used for funding next year because those criteria are based on postcodes? Can my right hon. Friend give an assurance that those areas will receive that provision for three-year-olds in the following years?

Mr. Blunkett: My hon. Friend is right that there are pockets of severe deprivation, which are at the moment being taken care of by a substantial increase through the standard spending assessment for early-years provision. Derbyshire will receive a 5.2 per cent. increase in the coming year. In the second and third year of the additional spending of £390 million—which, I emphasise, will be specific grant applied purely to developing places for three-year-olds and therefore not absorbed in the SSA—Derbyshire will receive the money it needs to provide the services that my hon. Friend rightly seeks.

Mrs. Virginia Bottomley (South-West Surrey): I am sure the right hon. Gentleman will agree that pre-schools—formerly playgroups—are often a preferable experience for children. They have better adult:children ratios, are more connected to the local community and, above all, give great encouragement and support to parents. What more can the right hon. Gentleman do to answer their concern that primary schools are putting undue pressure on parents to accept the maintained nursery place rather than the pre-school place, so as to deliver on the right hon. Gentleman's targets?

Mr. Blunkett: Provision for three-year-olds, as for four-year-olds, must be decided through the early-years development partnership, which deals with both nursery education and child care and in which the voluntary, private and statutory sectors are properly represented. Early-years development plans will not be approved by my hon. Friends unless they involve a proper recognition and development of services by the voluntary sector. We have been very clear about that.

In the last year, we have put extra resources into the voluntary sector in order to save, in particular, pre-school learning alliance provision, which has not existed before. That has helped, but there is still a problem. To overcome that problem, I have set out in the code of guidance on admissions, which has been laid before the House, a specific requirement for infant and first schools not to discriminate in terms of the placement of a child in early-years education. That will ensure that the entitlement is retained wherever a child goes, whether the place is a pre-school learning alliance or a nursery education place.

Mr. Malcolm Wicks (Croydon, North): Children's early years are crucial, in terms of both brain development and development generally. Given that, and given this radical and important initiative in regard to nursery education—and given also what the family policy consultation document said about the enhanced role of health visitors—can we find ways, through nursery education, of building more effective partnerships between parents and teachers and between families and schools, so that the sometimes unused resource of the family can embark on a better partnership with teachers for the benefit of our children?

Mr. Blunkett: We certainly can. Part of the role of the early-years development partnership will be developing the role that families can play, and emphasising the importance of involving families. It will also be possible to learn from the early excellence centres: we have already set up some centres, and the Under-Secretary of State, my hon. Friend the Member for Barking (Ms Hodge), will announce the establishment of a number of new ones shortly. We need to, as it were, cascade out the best practice and the lessons that have been learnt through the family literacy initiative, the involvement of parents and the experiments that have been launched throughout the country—experiments of which my hon. Friend is aware. We need to extend all that to other areas and other providers. Our policy needs both to be family friendly and to recognise the critical role of the family in the education service.

Mr. Don Foster (Bath): The expansion of early-years education under the present Government is very welcome, but when does the Secretary of State intend to set targets for the universal provision of early-years education for three-year-olds—whose parents want that for their children—as promised in the Labour party manifesto? Does the Secretary of State agree that, while expansion is important, so is quality? Would it not therefore be sensible to establish a key stage for early-years provision, which is what we have done in respect of other aspects of school education?

Mr. Blunkett: I am pleased to be able to help the hon. Gentleman and the House. We have set targets that would give all four-year-olds access to early-years places, and we have achieved those targets. We are now setting a target that would give two thirds of three-year-olds free nursery places, and we will achieve that target by the next general election.

Education Action Zones

3. **Mr. Geraint Davies** (Croydon, Central): If he will make a statement on the progress in establishing education action zones. [68874]

The Secretary of State for Education and Employment (Mr. David Blunkett): We have established 25 education action zones. Twelve began in September, and 13 at the start of the January term. The zones have now developed their action plans, and are in the process of implementing new and radical policies.

Mr. Davies: The new education action zone in Croydon is supported not only by many big businesses—Commercial Union, the Midland bank, the National Westminster bank, Direct Line, Landis and Gyr, Allders, Abbey National and many more—but by the community health trust, which is concerned about the health of school children, and by the Whitgift school, one of the most successful independent schools in the country, because it provides musical instruments and advises on best teaching practice and the use of playing fields and sports facilities. Surely this is the real third way of partnership that will drive up standards in Croydon's schools.

Mr. Dennis Skinner (Bolsover): Steer carefully on the third way.

Mr. Blunkett: As ever, I am grateful for the help of my hon. Friend the Member for Bolsover (Mr. Skinner).

We are pleased with what has been achieved by the education action zone in Croydon, and pleased to affirm that we have seen the development of genuine co-operation—rather than competition—between schools, between the public and the private sector and between statutory and voluntary organisations. They are coming together to deliver an improvement in standards, for which education action zones are designed. I pay tribute to my hon. Friend the Member for Croydon, Central (Mr. Davies) for his work in bringing in private companies, achieving co-operation from health and public services and forming links with the school that he described, which are already proving of great value to the children. In education action zones, we are overcoming simple, crude market competition and, instead, achieving the genuine collaboration of those who have the best interests of children at heart.

Mr. David Willetts (Havant): Can the Secretary of State name anything happening in an education action zone that is not happening, or could not happen, elsewhere?

Mr. Blunkett: Yes, I can. For example, as part of raising standards in those zones, 140 major companies have now committed themselves to working in them that would not have done so. This year alone, they have put into the zones £5 million that would not otherwise have been available. The major electronic commitments of British Aerospace, for example, in Hull, are making an enormous difference by linking every school with their family and community developments in adult education. When the Prime Minister and I launched the latest round of education action zones in Blackburn, we saw schools that are linking with companies to design—and then be able to manufacture—which brings education and employment prospects together.

I would have hoped that the hon. Gentleman would welcome that, but, having corrected *The Daily Telegraph* on the abolition of the national curriculum as a Tory party policy, but not yet corrected anyone on his belief that the literacy hour is a mistake, or put the nation right on whether the numeracy hour will be condemned by the Tory party, will he tell us—we would really like to hear it—what the Tories would do, except say sorry for the 18 miserable years that they spent in government?

"The Learning Age"

4. **Mr. Andrew Reed** (Loughborough): If he will make a statement on the responses that have been received to the learning age Green Paper. [68875]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. George Mudie): We had some 3,000 responses to "The Learning Age" Green Paper. Nearly 2,000 were from members of the public and the rest were from employers, educational institutions, local authorities and others. We are greatly encouraged by the broad support in those responses for our overall vision and proposals. We will, in due course, publish a summary of the responses.

Mr. Reed: I thank my hon. Friend for that reply. Does he agree that one of the worst legacies of the previous Government is the fact that 7 million workers have no formal qualifications in the workplace, which puts us among the bottom countries in the European Union? Does he further agree that individual learning accounts will be a key element in trying to address that problem? When does he intend to move that forward, to have a plan in place and to make the first 1 million individual learning accounts available, perhaps through training and enterprise councils?

Mr. Mudie: If we are to improve the competitiveness of the British economy and to end social exclusion, which mars and disfigures our cities and communities, we will have to succeed with "The Learning Age" proposals, a key one of which is the individual learning account. From April, up to 100,000 people will be able to have an individual learning account and call up £150 to spend on learning. Working in partnership with employers, trade unions and any other group, we view that as an important catalyst in bringing people back to learning who may not have given it a thought.

Schools Funding

5. **Mr. Alan Simpson** (Nottingham, South): What plans he has to introduce a needs-weighted element into the current pupil formula for schools funding. [68876]

The Minister for School Standards (Ms Estelle Morris): Under the "fair funding" arrangements, which take effect in April, the allocation of funding to individual schools is a matter for each local education authority to decide, within the framework of regulations that were recently approved by Parliament. My right hon. Friend the Secretary of State is satisfied that those regulations allow ample scope for taking account of the different needs of schools and pupils.

Mr. Simpson: Will my hon. Friend consider some of the advantages of a national Government lead on that? She knows as well as I do some of the problems of recently created unitary authorities such as mine, which face a legacy of under-achievement and long-term under-investment in city schools. Will she consider the successful introduction in Canada of a needs-weighted, rather than age-weighted, pupil unit into the formula? Not least of the consequences of that has been the successful reversal of the outward migratory trends of parents and families, who moved away from schools needing a recovery strategy. One of the remarkable achievements of that change in Canada was the rediscovery by parents of the virtues of the local school, and the realisation that there was [illegible] point in sending their kids in one direction when the resources for schools were going in the other direction.

Ms Estelle Morris: I am always happy to look at what is happening overseas to see what we can learn. The decision on age-weighted pupil units is a local one. Nationally, we insist that 80 per cent. of funding should be pupil led. We feel that the remaining 20 per cent. gives local authorities enough flexibility to reflect their local circumstances. I entirely accept my hon. Friend's comment about his area's chronic underfunding under the previous Government. I know that he will welcome the more than £1 million of new deal for schools capital that has gone into the city and the fact that more than £500,000 has already been provided to begin the reduction of infant class sizes.

Mr. David Willetts (Havant): Is the Minister aware that there is a growing crisis in schools funding because local education authorities do not have the information to set schools' indicative budgets? Even at this late stages, the Department cannot tell them how much money they will have to set aside for all the Ministers' pet projects. One LEA phoned the Department and was told by the operator, "I am sorry, I haven't got anything under 'LEA support'. All I have is 'LEA intervention' and 'Ofsted.'" Is not that the Government's real agenda—intervention, intervention, intervention, rather than setting schools free?

Ms Morris: No, the Government's agenda is standards, standards, standards. Unless we intervene where standards are not sufficiently high, we shall have failure, failure, failure. That is the choice that we face. Local authorities know exactly where they stand for next year. They have had their best settlement for years. Most of the standard spending assessment money has already been announced. Local authorities throughout the country are making decisions about revenue arrangements for next year and passing the information to schools.

Specialist Schools

6. **Dr. Phyllis Starkey** (Milton Keynes, South-West): If he will make a statement on future plans in relation to specialist schools. [68877]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke): We plan to have 500 specialist schools in operation by September 2001. Our priority is to ensure that the range of schools in each specialism spreads across England, so that the benefits of the scheme are maximised.

Dr. Starkey: My hon. Friend will be aware that Milton Keynes is fortunate in having four specialist schools already. I should like to draw his attention to an example of good practice at Lord Grey school, the specialist language school, to inform schools elsewhere. It has made enormous efforts to set up links with its feeder primary and middle schools through the national grid for learning and in partnership with a local business, Yamaha Keyboards, which has supplied computer keyboards to 1,000 pupils in the feeder schools to enable them to link electronically with the modern languages resources at Lord Grey. The school is also sending teachers to teach the top-year middle school pupils French, German and Spanish, as well as Japanese culture, because Milton Keynes has a large number of Japanese businesses. Will my hon. Friend join me in commending the school on its efforts and ensure that its good example is spread throughout the country?

Mr. Clarke: I thank my hon. Friend for her comments. I join her in congratulating and commending Lord Grey school. I should also like to congratulate Milton Keynes as a whole, where four of the nine secondary schools—more than 44 per cent.—are specialist schools. That is the highest proportion in the country. There is a specialist school in each of the disciplines—arts, sport, languages and technology. We are seeking to spread that example throughout the country. My officials stand ready to help all local education authorities and schools seeking to put forward bids as we go for the target of 500 in September 2001. The aim is to spread skills and experience widely. The specialist schools that I have visited have been—like my hon. Friend's in Milton Keynes—inspirational.

Mr. Damian Green (Ashford): I welcome the Minister's decision to extend the specialist schools initiative started by the previous Government. Such schools provide choice, diversity and excellence and we applaud them. In the hope of some reciprocal generosity, will the Minister applaud the performance of another group of specialist schools that concentrate on academic attainment—namely the grammar schools? On Monday, the Prime Minister said:

> "if a school's doing a good job then we don't want to get rid of that school."

Does that pledge apply to grammar schools? If it does, I invite the Minister to make a graceful retreat on his party's opposition to them.

Mr. Charles Clarke: As the hon. Gentleman knows, when we took office there were 222 specialist schools. There are now 330 and I recently announced that a further 35 will open in September. As I said earlier, our target is 500 by September 2001. I have visited many of the schools and I agree that they are inspirational and spreading value. The hon. Gentleman asked about grammar schools—a different subject, as he well knows. As the Prime Minister made clear, we commend all good-quality schools. The issues of admission are dealt with under separate legislation in a way that the hon. Gentleman well understands.

After-school Child Care

7. **Shona McIsaac** (Cleethorpes): What progress has been made on introducing after-school child care places. [68878]

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): The national child care strategy is already having a positive impact locally. We have funded the creation of nearly 30,000 new out-of-school child care places and through the commitment of a wide range of partners we are on target to create 60,000 new places in England by April 1999.

Shona McIsaac: I thank my hon. Friend for that answer. It is good that everything is going so well. What is her view on an initiative by Grimsby college, my local further education college? It is called the weekend college and integrates education, training and child care so that while parents use weekends to retrain and acquire new skills, older children can participate in activities at the college and the little ones have a free child care place. Does my hon. Friend approve of that model of integration and would she like it to be used as an example elsewhere in the country?

Ms Hodge: Indeed, I applaud the initiative that has been taken by Grimsby college and join my hon. Friend in congratulating the college on that innovative development. The further education sector can make an important contribution to early education and child care and the integration of the two. That is why we have allocated £5 million this year and a further £5 million next year to create 20,000 places. The further education sector provides high-quality places for children and opportunities for adults to gain new skills and qualifications.

Mr. Desmond Swayne (New Forest, West): We have already been regaled with plans to get children as young as three out of their homes and into school and now we are being asked to consider keeping them in after school. Does not the Minister consider it any part of her job to encourage children to spend some time at home with a responsible parent?

Ms Hodge: We all know that parents are the prime educators and nurturers of their children. However, there have been enormous changes in working practices. More than 50 per cent. of mothers with children under five work. The Government need to provide a framework that enables flexibility and choice for parents to ensure that children get the best start in life and that parents do not have to choose between the jobs that they need and the children whom they love.

Mr. Syd Rapson (Portsmouth, North): The working families tax credit, especially the child care element, is most welcome, but according to the Kids Clubs Network there is a great deal of ignorance about what is available. It would be a shame to lose the impetus before October. Will there be a promotional campaign to make sure that everyone knows about it? There should also be more providers, particularly in areas of need.

Ms Hodge: The working families tax credit is an important part of our strategy to expand child care and ensure that all families can afford it. We will indeed launch a promotional campaign, and I warmly welcome the introduction of the child care tax credit, not only because it will make child care affordable to more parents, but because it will enable us to improve the quality of much of that care and increase the quantity, so that we provide genuine flexibility and choice for all families.

Mr. Nick Hawkins (Surrey Heath): We welcome the fact that more after-school care will be made available, but before the Minister preens herself too obviously about the number of places created, as she did in reply to the hon. Member for Cleethorpes (Shona McIsaac), she should ask her civil servants to examine closely how much taxpayers' money has been provided and determine whether places have actually been created or whether best endeavours have merely been used to try to create them. The civil servants may tell her that, in a year or two, the National Audit Office may have to investigate that.

Ms Hodge: I have written to the hon. Gentleman and to all right hon. and hon. Members about the places that have already been created under our national child care strategy in their locality. We know that, within the first two years of this Government, we will have doubled the number of child care places available. In two years, we will have created twice as many places as the previous Government did in 18 years. That is only the start of an ambitious and successful programme to provide flexible and affordable high-quality child care.

New Deal

8. **Ms Dari Taylor** (Stockton, South): If he will make a statement on the development of the single work-focused gateway. [68879]

The Minister for Employment, Welfare to Work and Equal Opportunities (Mr. Andrew Smith): We are on course for pilots of this important innovation to start in four Benefits Agency areas in June, and in another eight in November. I am visiting each of the early pilot areas, meeting staff, councils, claimants' representatives and advisory bodies, as well as arranging briefing here for hon. Members whose constituencies are affected. We are determined that the gateway will provide a better standard of service and support to claimants than they have ever received before, as well as striking a good balance between rights and responsibilities.

Ms Taylor: Will my right hon. Friend join me in saying a big thank you to the northern region Employment Service? Paul Robson's staff have worked hard and creatively to achieve good job opportunities for hundreds of people. The northern region is very disappointed not to be part of the pilot schemes, as the staff were keen to be involved.

Does my right hon. Friend agree that the gateway offers us the chance to put welfare reform and good employment opportunities together in an excellent manner, developing most persuasively the personal adviser approach?

Mr. Smith: I am pleased to join my hon. Friend in congratulating the Employment Service and all the other partners who are making such a success of the new deal and the other initiatives that we have launched for job generation. I agree that the role of the work-focused gateway, by extending the continuity of support and advice from personal advisers, which has been such a successful feature of the new deal, will indeed help claimants towards work where appropriate, and towards greater independence and personal development. It will stop claimants being shunted from pillar to post as they all too often have been in the past, as well as striking the right balance between rights and responsibilities. The single gateway will provide a whole new standard of service for claimants as well as shaping the future of the welfare state.

Mr. Geoffrey Clifton-Brown (Cotswold): I am sure that the Minister will be aware that the National Audit Office can provide robust evidence that fraud and mispaid benefits in the social security system amount to a staggering £4 billion. How will the single work-focused gateway reduce that figure?

Mr. Smith: In two ways: first, we will provide a genuinely joined-up service, integrating that which is separately provided at the moment through the Benefits Agency, jobcentres and local authorities. Secondly, by requiring people to attend a work-focused interview as a condition of receiving benefit, we will have the opportunity to cut fraud and to make people aware of their responsibilities, as well as the extra help that we are providing.

Helen Jones (Warrington, North): Does my right hon. Friend agree that if the single gateway is to work as we would wish, much will depend on the personal advisers? Can he assure the House that sufficient training will be offered to those advisers to enable them to do their job effectively with the vast numbers of people with whom they will have to deal? Will that include training in disability issues and in recognising mental health problems, so that they can adequately support their clients?

Mr. Smith: My hon. Friend identifies an enormously important issue. There will be a comprehensive training programme for all personal advisers and those helping claimants through the single gateway. That will draw on the existing expertise within the Employment Service and the Benefits Agency—for example, disability employment advisers—as well as ensuring that people who are coming to what, for them, is a new area of work, are fully appraised of the benefit entitlement and the extra help in the single gateway areas.

Mr. Paul Keetch (Hereford): Does the Secretary of State realise that he will receive support from the Liberal Democrats for the gateway, provided that it offers clients advice on child care and other benefits, and provided that clients are visited at home for the interview if they cannot get into the gateway? Is he aware of the practical difficulties? The gateways will have staff from the Employment Service, local authorities, other agencies and private providers—all with different pay and conditions and different computers. How will he ensure that they will be able to talk to each other to ensure that the Government's good intentions provide good results?

Mr. Smith: By doing the job properly—and considerably better than I imagine the Liberal Democrats would, judging by the hon. Gentleman's convoluted question. I assure him that the provisos that he puts on his support will be satisfied. Therefore, we will have support from the Liberal Democrats for the initiative.

Work and Family Life

9. **Caroline Flint** (Don Valley): If he will make a statement on the measures which his Department proposes to introduce to encourage parents to combine work with family life. [68880]

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): Working with employers and others, we will promote employment practices that benefit both families and businesses. We will finalise a campaign in the light of responses to our consultation document, "Supporting Families".

Caroline Flint: Does my hon. Friend agree that the spread of family-friendly working practices is not as wide as it might be? It is a shame that only one in 10 employers contribute in any way to the child care of their staff. Will she look at ways in which her Department and other appropriate Departments can provide joined-up thinking to encourage more employers to understand the business benefits of providing family-friendly policies for their staff, but also to see how we can enable some of those employers who want to do more to achieve their aim?

Ms Hodge: I agree that there is a lot of work to be done to change the culture on the acceptance of family-friendly employment policies. Some 46 per cent. of employees today have no access to any of the family-friendly working practices that we want to encourage. We are working across Government to raise the profile and importance of the policies to ensure that people understand the business case for adopting them. We shall be launching a campaign to provide advice, information and guidance, and we will give public recognition to those companies with family-friendly employment policies.

Mr. Graham Brady (Altrincham and Sale, West): Does the Minister understand that, for most families, financial constraints are the greatest pressure on family life and cause the most difficulties in combining that with work? Does she accept that steps to tax child benefit would only increase the pressure on family life, and would mean that hard-pressed families would spend more time working to make up for the money that they lose?

Ms Hodge: It is indeed the pressure of finance that means that many people work long hours and that families do not spend enough time together. For that reason, I hope that the hon. Gentleman will support the Government's introduction of the minimum wage, which will tackle that problem. People want time, as well as sufficient income—and as a mother, I know that time is often at a premium.

Mr. Jim Marshall (Leicester, South): My hon. Friend and her colleagues on the Front Bench, as well as Labour Members on the Back Benches, keep referring to joined-up thinking and joined-up writing. If we want to introduce family-friendly provisions in the workplace and the other protections contained in the employment relations legislation, why are those provisions not to be extended to firms with fewer than 21 employees?

Ms Hodge: I believe that my hon. Friend is referring to the extension of the disability discrimination legislation, which reduces the number of employees in firms to be covered by the measures from 25 to 20. We shall make further progress in that regard once the Disability Rights Commission is established. We shall seek advice from the commission about reducing the threshold further.

Area Cost Adjustment

10. **Mr. Laurence Robertson** (Tewkesbury): What plans he has to review the standard spending assessment system, with particular reference to the area cost adjustment, in connection with education. [68881]

The Minister for School Standards (Ms Estelle Morris): We all accept that there are valid objections to the current system, including the area cost adjustment. We will be looking at proposals for reform over the next three years.

Mr. Robertson: I thank the Minister for that encouraging reply. I remind her that the scheme means that Kent, for example, benefits in purely educational terms to the tune of about £26.5 million year, and that Oxfordshire similarly benefits to the tune of about £8.2 million a year. However, Gloucestershire, Oxfordshire's neighbouring county, loses out by about £2 million a year. Will she look at the iniquities of the scheme?

Ms Morris: We certainly will; indeed, we began to do so when we took office. The inequalities did not begin on 1 May 1997, they have been going on for years. The previous Conservative Government failed to tackle the issue. We have begun to look into the matter and I hope that, over the next few years, we can work with local authorities to achieve a better formula.

Mr. George Stevenson (Stoke-on-Trent, South): The significant additional resources for education being provided by the Government are warmly welcomed throughout the country, but is my hon. Friend aware that the anomalies of the area cost adjustments as reflected in educational standard spending assessments mean that those additional resources are widening unfairness? That, coupled with the serious anomalies in the additional educational needs formula, means that my local education authority, like many others, is at a serious disadvantage. In this regard, the Government's three-year plans are not bringing stability, but are perpetuating an injustice. Will my hon. Friend at least consider what interim measures can be taken to mitigate that serious problem?

Ms Morris: The Secretary of State for the Environment, Transport and the Regions has lead responsibility for looking at the SSA formula. However, we have been working closely with his Department and with others to try to deal with what I accept is a very serious matter. I take seriously what my hon. Friend says: his area and surrounding Staffordshire have suffered for too long from an unfair formula, but it is no good changing that formula if we do not get it right this time around. It is right that the Government work with local authorities to reach an agreement on how we can move forward. We were not able to reach an agreement this year, but we will continue to look at this important matter.

I thank my hon. Friend for his acknowledgement of the extra resources that have gone into Stoke. I assure him that, in terms of extra resources—available through the new deal for schools and the standards fund—there is nothing in the SSA formula that will mean that authorities such as his will not benefit at least as much as, if not more than, those that benefit from the current SSA formula.

Mrs. Theresa May (Maidenhead): It is clear from that answer, and from the Minister's earlier answer on schools funding, that the Government do not understand the impact of their policies—increased burdens on LEAs, extra bureaucracy and failure to fund fully the teachers' pay award—on SSAs and on LEA funding. One LEA has announced that the Government's interventions will cost it almost £1.5 million before it can even consider spending money on improving school standards. Does the Minister realise that her Department for intervention will cost LEAs and schools dear? Far from raising standards, intervention, intervention, intervention means bureaucracy, bureaucracy, bureaucracy. Money is being spent on Government intervention instead of being spent, as it should be, on standards in the classroom.

Ms Morris: Half the time, I do not know what world the hon. Lady lives in. When her party was in government, it increased the SSA but did nothing to match the increase with increased funding. We have provided an increase this year that will give local authorities ample money to fund the most generous teachers settlement in years. Many key objectives relating to class size are being funded at 100 per cent., as were child care places.

On the question of intervention, I think that every penny spent to ensure that local authorities do their job well in passing on money to schools is money well spent. As far as central administration goes, we have taken powers to cap the amount of money that local authorities spend at the centre to ensure that they pass on the bulk to schools. The hon. Lady's Government could have taken those powers during their 18 years in power, but they did not.

Mill Hill County High School

11. **Mr. Andrew Dismore** (Hendon): If he will make a statement on the admissions policy of Mill Hill county high school. [68882]

The Secretary of State for Education and Employment (Mr. David Blunkett): Mill Hill county high school has a substantial partial selection policy, with the usual admissions implications for parents in the area, and for other schools there. The School Standards and Framework Act 1998 and the statutory code give parents the ability—like admissions authorities in the LEA area—to call on the adjudicator to make a judgment about the impact of those selective policies and the way in which they distort the real choice and preference of parents in the area.

Mr. Dismore: Is my right hon. Friend aware of a real sense of outrage felt by many parents in my constituency at the fact that 45 per cent. of places at the school will be allocated by aptitude, with the bulk of the remainder going to siblings? Only 10 of the 210 places at the school are reserved for local kids. My right hon. Friend will understand why one parent has written to me, saying:

> "The implication is that local children are not worthy of a place at this school."

What hope can he offer the many parents who live close to the school that their children will not have to travel many miles every day because of the elitist aspirations of the school's governors, which discriminate against local kids?

Mr. Blunkett: I understand both the concern expressed by parents and the understandable outrage displayed by my hon. Friend. Forty five per cent. of places depend on selection, not aptitude—

Mr. David Willetts (Havant): What is the difference?

Mr. Blunkett: The difference was invented by the previous Government and the previous Secretary of State. Perhaps the House can tell why I am so keen to ensure that history stays in the national curriculum. On the Opposition Benches, amnesia is matched by a lack of literacy and numeracy.

The code and the 1998 act will deal with partial selection. We shall respond through adjudicators to the outrage to parents' feelings that my hon. Friend the Member for Hendon (Mr. Dismore) has described. We shall ensure that all children have proper access to a decent education.

Education SSA (North Yorkshire)

12. **Mr. Lawrie Quinn** (Scarborough and Whitby): What measures he is taking to ensure that education standard spending assessment fund increases for 1999–2000 are implemented by North Yorkshire county council education services. [68883]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke): My right hon. Friend the Secretary of State has written to North Yorkshire county council to make it clear that all the increase in the education standard spending assessment should be used to support education services, and especially the drive to raise school standards.

Mr. Quinn: Will my hon. Friend join me in congratulating the children and parents of Scarborough and Whitby and the rest of North Yorkshire on persuading the county council's corporate affairs committee to heed the Secretary of State's letter? Will he accept an invitation to visit my constituency so that he can see the desperate need to increase standards and so that we may, in future, not only passport increases of 6.6 per cent. for school services in the county, but have regard for the special needs of the urban areas of North Yorkshire?

Mr. Clarke: Yes, I am happy to join my hon. Friend in congratulating all the children and parents and the rest of the community who have persuaded the county council to carry the money through to education, as we intended. I would also be happy to visit my hon. Friend's constituency sometime in the future to see what has been done there.

I hope that we shall secure all-party support for the idea that money allocated to education should go to education. Perhaps Opposition Members will try to encourage their Conservative colleagues in Wiltshire, for example, to ensure that money intended for that purpose is spent on education. They should heed the example set by North Yorkshire.

Mr. Phil Willis (Harrogate and Knaresborough): I obviously live in a different part of North Yorkshire, because I have seen the £12.9 million passported, despite opposition from the Tory Administration. There has been a 9.6 per cent. increase in council tax and we still find ourselves £2 million short—100 teachers will be sacked in North Yorkshire as a result of the Government's allegedly excellent settlement.

The hon. Member for Havant (Mr. Willetts) asked a question that has not been answered. A lot of money is being set aside for the standards fund and schools cannot set their budgets because the Government have not decided what sums they will allocate. I refer the Minister specifically to 12A funding and to 100 per cent. refunding of music, which would bring £700,000 to North Yorkshire. Those funds should be released immediately so that some certainty may be brought to schools' budgets from 1 April.

Mr. Clarke: On the hon. Gentleman's final point, we made announcements regarding music a few weeks ago along the lines that he has requested. I find it strange that, although almost every commentator has remarked on the very high SSA settlements that have been achieved this time, nothing is enough for the Liberal Democrats. They are not prepared to work with others effectively. However, I commend the Liberal Democrats, as my colleagues did earlier, on campaigning for more resources for education. That is fine. It is not enough to whinge and whinge; we must create and create. That is what the Government are trying to do.

Mr. Ben Bradshaw (Exeter): Leading on from that reply, is my hon. Friend the Minister aware that, in the south-west, Liberal Democrats—

Madam Speaker: Order. The Minister is replying to questions about North Yorkshire so I tend to call hon. Members who represent that area. The hon. Member for Exeter (Mr. Bradshaw) does not represent North Yorkshire, although he is quite entitled to speak about it. His question must be about North Yorkshire. I call Mr. Key.

Mr. Robert Key (Salisbury): I am grateful, Madam Speaker.

Madam Speaker: Try harder than the last Member.

Mr. Key: Is the Minister aware that North Yorkshire is not alone in that education authorities up and down the country view with great concern his Department's new policy, which suggests that local councillors no longer know best about what to spend, within SSA indicators, on which services? Far from being welcome, that doctrine has caused great disturbance among local councillors.

Madam Speaker: In North Yorkshire.

Mr. Key: The amount that North Yorkshire spends on its education services is best judged at local level by North Yorkshire's elected councillors.

Mr. Clarke: Characteristically, the hon. Gentleman completely misses the point: it is not about the rights of local councillors to take decisions, but about the judgments that they make. In his letter to North Yorkshire county council, my right hon. Friend the Secretary of State urged the council to spend the money on education. I hope that Opposition Members will urge Conservative councillors to ensure that that happens.

National Year of Reading

14. **Mr. Gordon Marsden** (Blackpool, South): What his assessment is of the response to date by local education authorities to the Government's national year of reading initiatives. [68885]

The Minister for School Standards (Ms Estelle Morris): The response from local authorities has been extremely positive. All local authorities had a co-ordinator in place by the beginning of the national year of reading. Most also have steering groups in place, bringing together a wide range of local services, including education, libraries and business. That gives a framework within which local initiatives can flourish and can continue to have an impact after the year has officially ended in August.

Mr. Marsden: I thank my hon. Friend the Minister for that answer. Does she agree that good local education authorities have a key role in delivering the link between literacy in the home and literacy in school through family initiatives? Will she therefore join me in applauding the initiative of Blackpool council in appointing a reader-in-residence, Dr. Charles Bennett, a mature student and poet, whose role will be to deliver community learning projects in schools, after-school clubs, youth clubs and community centres? Is not that an excellent way to move forward? Does she agree that imaginative and historical literature can be prime sources for literacy schemes?

Ms Morris: I add my congratulations on the initiatives in my hon. Friend's constituency. His local authority has a good record on its work for the national year of reading. I was delighted recently to announce a further £7,000 to support local community initiatives in the Blackpool area. We perhaps differ about one thing: it is the role of not only local education authorities, but local authorities in general, to work on the national year of reading. The obligation to support our children in learning a love of reading and to support schools in the literacy strategy lies not only with local education authorities but with everyone, whatever their walk of life.

Mr. John Hayes (South Holland and The Deepings): Does the Minister think that the literacy project would be compromised by the projected widespread closure of public libraries? It is all very well for the Prime Minister yesterday, and the Minister today, to talk about literacy, but how can the scheme possibly be supported by such closures? What assessment has she made of their effect on opportunities for schools and children in areas such as North Yorkshire, Lincolnshire and elsewhere across the United Kingdom?

Ms Morris: I have made no assessment of the effect of libraries because they are not my ministerial responsibility. I have assessed the £48 million that the Government have put into spending on books in schools. The hon. Gentleman must accept that more has been put into supporting literacy through teacher training, getting books to schools and facilities throughout the community, than was ever done under his Government.

Labour Market Strategy

15. **Mr. Michael Clapham** (Barnsley, West and Penistone): What plans he has to introduce an intermediate labour market strategy. [68886]

The Minister for Employment, Welfare to Work and Equal Opportunities (Mr. Andrew Smith): Intermediate labour market initiatives already play a part in the Government's overall employment policy and are especially helpful for people who are particularly disadvantaged in the open jobs market. Government funding already contributes to a number of successful projects up and down the country, and that will be extended through the recently announced employment zones.

Mr. Clapham: I thank my right hon. Friend for that answer. He knows that there is much male unemployment in the former steel and mining communities of south Yorkshire. We are talking about men in their 40s and 50s. Intermediate labour markets are one way of reintroducing such people to the formal labour market. Does his Department intend to evaluate some of the local community business projects within a regional framework?

Mr. Smith: Very much so; we have been surveying experience of intermediate labour market projects both in this country and abroad. As soon as we have the results, they will be published—within the next month or two, I hope. The new deal 25-plus pilots have a specific remit to provide extra help for older unemployed people to get them back into work. As a result of the strategic responsibilities of the regional development agencies and work under the coalfields communities initiative, I expect more programmes to help precisely the people whom my hon. Friend described. They have had a rough deal in the past and deserve help from the Government. I hope that they will get it.

Mr. Nigel Evans (Ribble Valley): What role will deregulation play in the Government's strategy? It is not only the 48-hour directive or the minimum wage; what role will there be for cutting bureaucracy, rules and regulations for businesses so that they can employ more people? When will Ministers start properly to think through the implications of directives for the labour market and their impact in this country before they sign up to them?

Mr. Smith: This Government, not the previous one, have had written into the European employment guidelines a commitment not only to examine new European proposals to ensure that we minimise the regulatory burden and generate jobs, but to re-examine the proposals previously signed up to, including those signed up to by the Conservative Government. As part of our employment generation programmes, such as enterprise development in employment zones, we are applying the benefits of the cuts in bureaucracy and regulation that my colleagues in the Department of Trade and Industry are examining to stimulate the formation of new businesses.

Moreover, it is this Government who, unlike our predecessors, are developing self-employment opportunities through the new deal, which people would have been denied under the Conservatives because of that Government's unreadiness to provide effective help into self-employment and business development for unemployed people.

Gibraltar

12.30 pm

Mr. Michael Howard (Folkestone and Hythe) (*by private notice*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement—*[Interruption.]*

Madam Speaker: Order. The Minister is being asked a question, yet the Government Front Bench is in disorder—I have even got Liberal Democrats on the Government Front Bench!

Mr. Howard: Nothing should surprise us, Madam Speaker.

To continue, I ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on developments relating to Gibraltar.

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): Over the past year, there have been problems relating to Spanish fishing in British Gibraltar waters. Those began when fishermen started to enter the waters in larger numbers than had been tolerated in the past. We reached an understanding with the Spanish Government on the situation that had prevailed from 1991 to 1997, when fishing took place in moderation and the fishermen respected the authority of the Gibraltar law enforcement agencies. We agreed with the Spanish that we should revert to that situation.

Nevertheless, we faced continuing difficulties on the water. On 27 January, a Spanish fishing vessel was arrested. On 29 January, fishermen demonstrated at the border, preventing movement through it. We protested to the Spanish authorities about that. On 3 February, the fishermen and the Chief Minister of Gibraltar reached an agreement that satisfied them both, building on the understanding we had reached with Spain. Those new arrangements have been working well in practice.

The Spanish Government were unhappy that the Chief Minister of Gibraltar had struck a deal locally. We began to see unjustifiably long delays at the border. We have protested to the Spanish authorities. The Spanish Foreign Minister has also talked about the possibility of refusing to accept Gibraltar driving licences, and has speculated about banning civil overflights to and from Gibraltar. My right hon. Friend the Foreign Secretary has today spoken to the Chief Minister of Gibraltar to assure him of our full support for Gibraltar on those points.

We shall continue to defend with determination Gibraltar's legitimate rights. We are today raising these matters with the Spanish Government through our ambassador in Madrid, and with the European Commission through our permanent representative in Brussels. We believe that it is in everyone's interests that relations between Spain, Britain and Gibraltar should improve; and that harassment is counterproductive.

Mr. Howard: In her answer, the Minister conspicuously failed to condemn unreservedly the latest Spanish threats to Gibraltar. Will she now do so? Will she confirm reports in this morning's newspapers that Spanish proposals for joint sovereignty over Gibraltar have been languishing in the Foreign Secretary's in-tray for more than a year? Is that another example of his not bothering to finish his paperwork? Should not those proposals have been rejected summarily as being wholly against the wishes of the people of Gibraltar? Will she also confirm this morning's reports that for several days, the Foreign Secretary has been trying in vain on his mobile phone to speak to his opposite number? We have heard enough about farce and failure at the Foreign Office during the past few days, but that really takes the biscuit.

Will the Minister tell us whether the protests to which she referred in her reply have been made at ambassadorial or ministerial level? If the former, does not it send entirely the wrong signal about the seriousness with which we take these matters? Can she give details of the agreement that was reached between the Foreign Secretary and his counterpart in October, which she conspicuously failed to supply when she responded on 4 February to my written question on this topic?

Does my right hon. Friend recall the way in which the Government were, on their own account, duped by the Spanish Government in negotiations on the treaty of Amsterdam? Does she recall the Foreign Secretary's U-turn and surrender in negotiations on Spanish entry into the integrated military command of NATO? Is not the whole pattern of this Government's dealings with Spain one of equivocation, retreat and surrender? Will she now display the resolve and determination that are overdue and necessary to deal with this matter?

Mr. Dennis Skinner (Bolsover): You can always trust him to go over the top.

Ms Quin: My hon. Friend is quite right.

It is of some regret to me that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) has dealt with an issue that has so often commanded cross-party agreement in such a manner. All parties in the House have supported the Gibraltar constitution; we support it very strongly. Indeed, I have spoken with and appreciate the work of some of my Conservative predecessors on this issue, including Lord Garel-Jones and, of course, Lord Hurd, when he was Foreign Secretary. Unfortunately, the right hon. and learned Gentleman seems to disagree with his predecessors as well as engaging in puerile attacks on us.

The right hon. and learned Gentleman asked several questions, with which I should like to deal. I want to stress first that, overall, we have a good relationship with Spain, as has been evident in many recent initiatives, including the statements issued by the two Prime Ministers on a range of European and employment issues. However, at the same time, we have pursued very vigorously with our Spanish counterparts the need to regulate properly fishing activity around Gibraltar, and to ensure that border delays are kept to a minimum and the Spanish authorities respect the position of the people of Gibraltar.

The right hon. and learned Gentleman seems, somehow, to want it both ways—breathing fire and brimstone on the one hand, and telling us that we must sort things out on the other. We are confident that we have put enormous effort into resolving this situation. My right hon. Friend the Secretary of State and I have worked with both the Governor and the Chief Minister of Gibraltar to look at ways of resolving the situation. We therefore welcomed the agreement that the Chief Minister concluded with the fishermen because we believed that it built on our understanding with Spain. We stick very strongly to that point of view.

The right hon. and learned Gentleman rather astonishingly asked what we were doing about the situation, and tried to pretend that we were doing nothing, even though, in my statement, I announced the two initiatives that we have taken today with the Spanish Government and the European Commission. He seemed to avoid that completely.

The right hon. and learned Gentleman also asked about the October agreement. He ought to know that that agreement was largely an affirmation of traditional fishing practices in that area, which between 1991 and 1997 had worked well and to the benefit of both sides. When that harmonious traditional activity was undermined by the presence of extra vessels, action was taken. We welcomed the arrest in January of the vessel that was clearly violating the understanding that we had reached with Spain. As I said, we believed that the agreement concluded by the Chief Minister was greatly to be welcomed and provided a way forward. I cannot think offhand of a word that means the opposite of statesmanship, but whatever it is, it certainly applies to the right hon. and learned Gentleman.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Have not the actions of the Spanish authorities breached European law? If so, what specific action will the Government take?

Ms Quin: Indeed, European law is the reason for our approach today to the President of the European Commission. The threat not to accept Gibraltar's driving licences directly contravenes the relevant EU directive, so we intend urgently to pursue the matter with the Commission. It is our understanding that the relevant EU directive would be breached if the Spanish authorities refused to accept those driving licences.

Mr. David Heath (Somerton and Frome): Are not the actions of the Spanish Government in this affair entirely unacceptable, particularly in view of the successful negotiation and resolution of the fishing dispute? Are not those actions particularly ironic on the part of a state with enclaves of its own in north Africa, and do they not undermine the more constructive overtures by the Spanish Government in recent years? Will the Minister continue, as she has been doing, to make it clear to Spain that Gibraltar's future will be based on the wishes of Gibraltarians, not crude bullying? Will she work to assure the status of Gibraltar within the European Union? Lastly, will she seek ways to provide proper representation of Gibraltar in the European Parliament?

Ms Quin: I welcome the thrust of the hon. Gentleman's questions, which was a good deal more constructive than that of the official Opposition spokesman, the right hon. and learned Member for Folkestone and Hythe. We believe that the Spanish action is unacceptable and, importantly, counterproductive. There is a great deal to be gained by co-operation between Gibraltar and, in particular, the neighbouring regions of Spain. Such actions by the centre rather undermine the cause of that co-operation, which we hold dear.

Mr. David Winnick (Walsall, North): Leaving aside the characteristic attitude of the shadow Foreign Secretary, is it not deplorable that a Spanish Government are reverting to the provocative attitude of the Franco regime? When Spain became a democracy, one hoped that its attitude would be very different. If Spain takes the view, which I understand, that it wants closer relations with Gibraltar, surely it must work in such a way as to persuade the majority of people in Gibraltar that that should be the case. At the moment, all the evidence reveals that 98 per cent. of them want to stay as they are. I hope that the position of the House is to defend the right of the people of Gibraltar to do precisely what they want—the right to self-determination.

Ms Quin: My hon. Friend makes valid points and I agree with his approach. Certainly in the post-colonial world, the wishes and consent of the governed are absolutely paramount in any constitutional arrangements. That is clearly spelt out in the Gibraltar constitution, and the Government hold very firmly to that commitment. It is obviously right to say that any change in Gibraltar's status could be granted only if it had the wholehearted consent of Gibraltarians. That is why persuasion and a policy of friendship and openness are by far the most successful approach, particularly as we are all partners in the European Union and other European organisations.

Sir Teddy Taylor (Rochford and Southend, East): The House and the people of Gibraltar were told in 1972 that the agonies that they suffered in 1967 could not be repeated because of what were called the tight rules and strict procedures of the European Union. Now that Spain is breaking the law on frontier control, and threatening to break the law on passports and driving licences, will the Minister say exactly what their friends in Brussels can do? Is it not a little silly to talk about directives when Spain is ignoring dozens of directives and having legal proceedings taken against it in 25 cases? Will the Minister tell the people of Gibraltar what Europe can do?

Finally, will the Minister at least give the assurance—I am sure that she will—that the Government will not let down or sell out the people of Gibraltar, and that in no way will they allow Gibraltar to be put under the rule of Spain against the people's wishes?

Ms Quin: In response to the hon. Gentleman's last point, I hope he will agree that I, my right hon. Friend the Foreign Secretary and the Government generally have given that assurance on many occasions. Indeed, the Prime Minister gave that assurance only last week in response to a question from the hon. Gentleman at Prime Minister's Question Time.

There are all kinds of ways in which EU directives have been broken. We can have legal recourse to redress. However, we believe that by far the best route in the immediate future is to do what we are doing—to protest to the European Commission and ask it to remind Spain and other countries of their responsibilities under directives by which they have agreed to be bound.

Dr. Norman A. Godman (Greenock and Inverclyde): My right hon. Friend is right to emphasise that the Foreign Office will stick to the principle of consent. That principle underlines the Good Friday agreement. Madrid should be told that no change can take place outside the principle of consent.

The fishermen are not fishing out of purse-seiners such as those that operate out of Fraserburgh and Peterhead. They are small-boat fishermen, and it is right that that

[Dr. Norman A. Godman]

fisheries dispute is settled locally. Madrid should be told that the best form of fisheries management is regional management.

Ms Quin: My hon. Friend makes an important point—not surprisingly, with his knowledge of the fishing industry and the arrangements that work in practice. We believe that such a local agreement would reinforce the understanding that Britain and Spain had reached. We also believe that, understandably, the local agreement addresses effectively the concerns of local residents in Gibraltar. We are speaking of a fairly small area where fishing activity—especially if it takes place at night, as much of it does—can cause noise and aggravation to local residents, as well as not being in conformity with the understanding that had been reached.

I am glad that the local authorities and the police in Gibraltar took the action that they did, but I am also glad that the Chief Minister was able to back up that action with the agreement that was subsequently reached.

Mr. Michael Colvin (Romsey): Some of us have a certain sympathy for the Minister of State, because we know that she is not getting the support that she should be getting from the Foreign Secretary.

With regard to the blockade of Gibraltar, which is a clear breach of EU law, does the right hon. Lady agree that that is a test of the European Commission's ability to enforce its own laws? With regard to the fishing and the welcome local agreement, what hope is there of the House of Assembly passing ordinances to enshrine that agreement in law? If that were done, would the Government agree to the dispatch of a fisheries protection vessel to the Admiralty waters around Gibraltar to ensure that that law is enforced?

Ms Quin: On the last point, if the agreement works as we hope it will, and if it is subsequently backed up by legislation in the Gibraltar Assembly in the way that we hope, a fisheries protection vessel would not be needed.

I am disappointed and somewhat surprised by the hon. Gentleman's initial comments. He, along with colleagues from all parties, has met me through the all-party Gibraltar group in the House. I have also met him as an officer of that group. On each occasion, I have stressed to him the way in which my right hon. Friend the Foreign Secretary and I have been working together on this issue. The hon. Gentleman knows that a great deal of effort has been put in by both of us, as well as by the Governor, to address the situation. Those comments do the hon. Gentleman no service.

Mr. Lindsay Hoyle (Chorley): Is the Minister aware of the plight of three of my constituents who were trapped on the Spanish side of the customs, not being able to enter Spain nor being allowed to go back into Gibraltar, for 13 hours? As Spain was clearly in breach of European law, I hope that my right hon. Friend will seek compensation for my constituents and also for Gibraltar. Has not the time come for that fisheries protection vessel to go down to Gibraltar? Let us take off the kid gloves and ensure that we get the right deal for our people in the United Kingdom and Gibraltar.

Ms Quin: There certainly have been cases where people have suffered as a result of delays at the border. There was one instance of a husband trying to cross the border to reach his wife, who was about to give birth to their child, so there have been some human tragedies and human difficulties associated with the delays that have been imposed at the border. Some of the delays, it has to be said, were caused by the fishermen blockading the border rather than by the Spanish authorities. Given the different types of incidents that have occurred, it would be helpful if my hon. Friend wrote to me and I could then investigate the incident to which he referred.

Mr. Andrew Tyrie (Chichester): I was there when the border was closed on 29 January and I saw some appalling behaviour by the Spanish police. Many people in Gibraltar believe that the British are engaged in negotiations to try to create some kind of counterweight to the Franco-German alliance through an Anglo-Spanish alliance, and that if Gibraltar has to pay the price for achieving that alliance, so be it. *[Interruption.]* That is what people in Gibraltar think.

Is the Minister aware that many people think that the line that the Government have been taking since they came to power is very naive and smacks of appeasement? Recent events still do not seem to have got across to the Foreign Office. The Spanish understand only strength; they do not understand polite reminders, via the European Commission, to obey directives. They are bullfighting; the Foreign Office is playing cricket. Is not the right thing to do in the fishing dispute to send a naval vessel capable of enforcing our rights and our sovereignty in our territorial waters?

Ms Quin: The hon. Gentleman's version is a caricature of events. He may have visited Gibraltar, but he is giving us a very selective account of events. His claims about the Foreign Office are completely incorrect. He was not in the Foreign Office when we were discussing these issues, so he cannot claim to have been there. Let me say clearly that there is nothing stealthy or underhand about our approach. If I have [illegible] say it again, I will do so: we remain fully committed to the pledge in the Gibraltar constitution.

Mr. Bill Rammell (Harlow): Does the Minister agree that, in reality, there is consensus on the way that we should deal with this situation? Attempts by Conservative Members to play politics with the issue do them an enormous disservice. Had Labour Members conducted themselves in such a way in opposition, they would rightly have been accused of irresponsibility. On the substance of the issue, will she comment on—and, I hope, refute—the spurious allegations that Gibraltar has contributed towards the conflict by going against European Union directives?

Ms Quin: I strongly endorse my hon. Friend's comments. I should like the issue to be approached within a cross-party consensus, but I am certainly prepared to defend very strongly the Government's record on it. I am grateful to him for mentioning EU directives, because we have received no official communication from Spain claiming that Gibraltar is in breach of various EU directives. Fifty-one are listed, and that list has been sent to the Commission. That allegation is ill-founded.

I have information that, of the 51 directives listed, 31 have been transposed by Gibraltar. Of the remaining 20, seven are not applicable because of Gibraltar's EU status, and two do not require transposition, because Gibraltar does not have the relevant facilities. A further seven directives are in the final stages of transposition, with draft legislation complete or almost complete. Gibraltar's record is extremely satisfactory in that respect. Given the commitments that the legislative Assembly has, and the size of Gibraltar, it has done a good job in transposing those directives into legislation.

Mr. Christopher Gill (Ludlow): The Minister will be aware of the popular perception in Gibraltar that the British Government are not prepared to stand up to the Spanish Government. Will she assure the House that the Foreign Office will abandon its supine policy of doing nothing that upsets the Spanish and will recognise its true responsibility, which is to protect British interests and British subjects?

Ms Quin: I cannot recommend that the Foreign Office abandons a supine policy that it did not adopt in the first place.

Mr. John Wilkinson (Ruislip-Northwood): As we are one of the largest contributors to the European Union and Spain is the biggest net recipient by far, would it not concentrate the Spanish mind wonderfully if Her Majesty's Government said that they would cut off the supply to Brussels?

Ms Quin: The Government would be unwise to deal bilaterally with issues that are the subject of negotiation among the 15 member countries of the European Union. As the hon. Gentleman knows, we are currently negotiating in the European Union on Agenda 2000. We are strongly defending our interests in those negotiations, and we are promoting new ideas and proposals for reform of the European Union.

Mr. Howard: Will the Minister reply to just one of the questions that I put to her earlier, which she completely ignored? Why has the Foreign Secretary not yet rejected the proposals from Spain for joint sovereignty over Gibraltar?

Ms Quin: We have a framework for discussing issues with Spain, which was adopted by the previous Government, and we have continued that practice. Those proposals will be examined within that framework without, in any sense, undermining the commitment in the Gibraltar constitution to which many hon. Members on both sides of the House have rightly referred.

Business of the House

12.57 pm

Sir George Young (North-West Hampshire): Will the Leader of the House tell us the business of the House for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 15 FEBRUARY—Consideration in Committee of the House of Lords Bill [1st Day]

TUESDAY 16 FEBRUARY—Consideration in Committee of the House of Lords Bill [2nd Day]

The provisional business for the following week will be as follows:

MONDAY 22 FEBRUARY—Second Reading of the Immigration and Asylum Bill.

Motion on the Northern Ireland Arms Decommissioning Act 1997. (Amnesty Period) Order.

TUESDAY 23 FEBRUARY—Second Reading of the Welfare Reform and Pensions Bill.

WEDNESDAY 24 FEBRUARY—Until 12.30 pm, debate on the Third Report from the Northern Ireland Affairs Committee on Composition, Recruitment and Training of the RUC, followed by a debate on the Sixth Report from the Agriculture Committee on Flood and Coastal Defence. Followed by debates on the motion for the Adjournment of the House.

Remaining stages of the Social Security Contributions (Transfer of Functions, etc) Bill *[Lords]*.

Remaining stages of the Rating (Valuation) Bill.

The Chairman of Ways and Means is expected to name opposed private business for consideration at 7 o'clock.

THURSDAY 25 FEBRUARY—Debate on Welsh Affairs on a motion for the Adjournment of the House.

FRIDAY 26 FEBRUARY—Private Members' Bills.

The House will also wish to know that on Monday 15 February there will be a debate on Agenda 2000: Reform of the Common Agricultural Policy in European Standing Committee A. [*Mr. Rooker*].

On Wednesday 24 February there will be a debate on VAT Fraud in Intra-Community Trade, the Independent Fraud Office and the Court of Auditors Annual Report for 1997 in European Standing Committee B. [*Ms Hewitt*]. Details of the relevant documents will be given in the *Official Report*.

[*Monday 15th February:*

European Standing Committee A—Relevant European Committee document: Unnumbered EM, submitted by MAFF on 20 November 1998; Agenda 2000:Reform of the Common Agricultural Policy. Relevant European Scrutiny Committee reports:HC 34-ii (1998–99) and HC 34-ix (1998–99).

Wednesday 24 February:

European Standing Committee B—Relevant European Community Document: OJC 349, Court of Auditors report for 1997;14031/98, Independent Fraud Office:10786/98, VAT Fraud in intra-community trade;Relevant European Scrutiny Committee reports:HC 34-vi, HC 34-vii and HC 34-viii (1998–99).]

Sir George Young: The House is grateful to the right hon. Lady for the announcement of next week's business, and for an indication of business for the following week. Will she find time for a debate on the Foreign Affairs Select Committee report on the Sierra Leone fiasco? Not only does the report contain devastating criticism of the Foreign Office, but the Government have made it clear that they dispute the findings. Does that not make it even more imperative to debate the report at an early stage, so that the House can decide for itself whom to believe?

Can we also debate the Defence Select Committee report on the Territorial Army? Will the right hon. Lady halt the growing practice of Ministers rubbishing Select Committee reports in advance? Before the Defence Select Committee report was even published, the Minister for the Armed Forces said that he would reject any criticism. Will the right hon. Lady condemn that contemptuous approach to the House and its Select Committees?

The Greater London Authority Bill is in Committee again next week. I understand that it is being substantially amended, which suggests either a lack of preparation or some change in policy. May we have an assurance that the Committee will have adequate time to consider those substantial amendments before they are debated?

I understand that the Chancellor will shortly be publishing a document about the euro—the outline national changeover plan—an important publication on an important subject. Can the right hon. Lady confirm that the Chancellor will make a statement to the House on that occasion? Will he be able to explain why Mr. Oskar Lafontaine is able to write an article in today's *The Daily Telegraph* saying that he is in step with the Prime Minister on Europe, although, yesterday, one Minister endorsed criticism of the German presidency for its proposals to tax the British art market?

In respect of the White Paper on the House of Lords, will the right hon. Lady reflect on what she said to my hon. Friend the Member for South Staffordshire (Sir P. Cormack) and me, and agree that it would be right for the House to debate such an important constitutional reform in Government time?

Finally, can we expect next week a statement on the talks on Kosovo?

Mrs. Beckett: The right hon. Gentleman asked me for an opportunity to debate the Foreign Affairs Committee report. As he said, it has only just appeared, and the House has already had an opportunity to debate the issues fully. The Government will, of course, give careful consideration to both the report and our reaction to it, but I understand that the report does not take us much further than the position that we reached at the end of the Legg inquiry. Nevertheless, I undertake to consider that request.

The right hon. Gentleman said that it was necessary to discuss those matters so that we could decide whom to believe. As I have said, I understand that little new has emerged from the report, other than what was known on the publication of the Legg report. The question of whom to believe therefore does not arise in the way implied by the right hon. Gentleman.

As for what the right hon. Gentleman said about the Territorial Army, I did not hear the remarks to which he referred, and I would be very surprised if my hon. Friend the Minister for the Armed Forces had rejected the findings of a report. I am sure that he would have said what is the case—that there has been full consultation about the Territorial Army, which will provide the background to the Government's reaction.

I share some of the right hon. Gentleman's concern about over-speedy reaction to Select Committee reports, which should indeed be weighed carefully by all hon. Members. I can only say that, if the Opposition perpetuate the practice—for instance, of the shadow Foreign Secretary—of preceding every Select Committee report with a demand for the immediate resignation of the relevant Minister, it is only natural for Ministers to respond. Perhaps each of us can encourage our colleagues not to judge reports before they are published; but the hysterical reaction of Conservative Front Benchers does nothing to encourage such a measured approach.

As for the Greater London Authority Bill, I, like the right hon. Gentleman, dislike the practice that makes extensive amendment necessary during the passage of Bills. That practice grew up under, and was used a good deal by, the last Government. I hope that, following the discussions and proposals of the Modernisation Committee, we shall be able to reduce it gradually, but that will clearly not be possible in the short term. However, I expect that adequate time for consideration of such matters will be available. I remind the right hon. Gentleman that we have not yet resorted to the last Government's practice of guillotining legislation and then introducing substantial new clauses.

The right hon. Gentleman asked for a statement on the changeover plan. I will bear his remarks in mind. As for the remarks of Minister Lafontaine, he says a number of extremely interesting things, none of which is the direct responsibility of this Government; but we shall bear in mind the right hon. Gentleman's request for a statement when the document is published.

I hear what the right hon. Gentleman says about the White Paper on reform of the House of Lords. I shall certainly undertake to consider the matter through the usual channels. If we had some indication—which, of course, will not be possible at this stage as we have not quite yet embarked on the Committee stage—of what the Opposition feel will not have been covered in the Committee debates, that would help us in our consideration of his request. It will obviously help us in considering the matter.

I cannot promise a statement on Kosovo next week. It is not clear whether it would be right to make a statement at that point, but I assure the right hon. Gentleman that my right hon. Friend the Foreign Secretary is keeping the matter under review. I am sure that, if there is something of substance to announce, he will be anxious to do so.

Ms Jean Corston (Bristol, East): Will my right hon. Friend find time for an early debate on the rights of bereaved parents or relatives either to have knowledge of, or to give consent for, the removal of vital organs from people who die in hospital? That arises from today's news that at least 170 of the babies and children who died in what is now called the Bristol heart operation scandal were buried without their hearts, without the knowledge of parents. As one parent has said today:

> "It is bad enough losing a child. To find out you've not buried them completely is just terrible".

One can only imagine parents' grief. The hospital says that it has behaved in accordance with correct procedure. If that is true, can we re-examine the procedure?

Mrs. Beckett: I know that my hon. Friend has been engaged in a long-running campaign on clinical standards and improving health services for her constituents in Bristol. She and our other colleagues in the city are anxious about those matters. It is a difficult and sensitive situation. We can only sympathise with the parents who find themselves yet again at the centre of a media storm that is focusing on what must have been some of the most dreadful events in their lives. I say only that it is my understanding that the Royal College of Pathologists is discussing with the Coroners Society of England and Wales what guidelines should exist in that difficult area, and that Department of Health officials are keeping in touch with developments.

When there has been, for example, a post mortem—understandably, that happened in many of the Bristol cases—it can be standard practice for such organs to be kept, but it is a difficult and delicate matter. I share my hon. Friend's view that it is important that there is openness and proper information—a view that, I think, everyone will share. I assure her that the matter will be looked at, perhaps even by the inquiry that is taking place.

Mr. Paul Tyler (North Cornwall): On behalf of many other parents in other parts of the south-west who have similar concerns to those of the hon. Member for Bristol, East (Ms Corston), I endorse the view that the issue of parental permission is very important. I hope that the Leader of the House will be able to assure us that it will be attended to.

We endorse the request for a debate in Government time on the Foreign Affairs Select Committee report. We do not take the view—nor do any members of the Committee, I understand, from any party—that it simply duplicates the work of the Legg committee. It is important that the House should be given an opportunity to debate its own Select Committee report.

On another important issue for our constituents, did the Leader of the House hear this morning's comment by the spokesman for the train operating companies on the further deterioration in the quality and reliability of train services? He said:

> "The rate of it getting worse is slowing down."

Certainly the trains are slowing down, but can she give us an explicit assurance that the Deputy Prime Minister will come to the House and make a statement, preferably in the next two weeks, on his legislative plans for the Strategic Rail Authority, and on what he expects to achieve at the so-called rail summit that he is holding with the various companies later this month?

I am sure that the Leader of the House shares my disappointment that the right hon. Member for North-West Hampshire (Sir G. Young) did not use the opportunity, as one of the great train robbers himself, to apologise on behalf of the other privateers.

Mrs. Beckett: On the issue of permission, of course, those are issues that will be looked at, but, as the hon. Gentleman may appreciate, no one owns someone else's body and those matters can be difficult. They are delicate and sometimes involve both distress and genuine difficulty in the right decisions being made. I shall draw his remarks to the attention of my right hon. Friend the Secretary of State for Health. I do not know whether I can give the commitment that the hon. Gentleman seeks, but I share the widely held view that there should be proper information on, and understanding of, what is happening and why.

The hon. Gentleman endorsed the call for a debate on the report of the Foreign Affairs Committee. I take the point that he shares the view that there should be such a debate. I reiterate that the Government will look carefully at the Select Committee report, but I cannot give an undertaking today that there will be a further debate on matters that we have already debated extensively.

I cannot assure the hon. Gentleman that my right hon. Friend the Deputy Prime Minister will make a statement in the next two weeks on what is happening in the rail service. I am not sure whether it is sensible to ask him to make a statement before the national rail summit on what he hopes to achieve there. He will be anxious to keep the House informed on his plans for the Strategic Rail Authority and on the national rail summit. He shares the concern and anger of many hon. Members about the deterioration of our rail services. He is anxious to address those issues and keep the House informed.

Mr. Gordon Prentice (Pendle): Since our debate on 10 November last year on the difficulties facing manufacturing industry, my constituency, which is heavily dependent on manufacturing, has suffered a steady haemorrhaging of jobs from manufacturing, including 350 jobs from the Lear corporation and, only yesterday, 450 jobs from Buoyant Upholstery. I know that the Government are trying to do their bit. Interest rates were 7.5 per cent. in June last year and are now down to 5.5 per cent. I am sure that there will be a recovery in the housing market and people will start spending money on what the Americans refer to as "big ticket" items, but, for areas such as north-east Lancashire, which depends heavily on manufacturing, there is a strong case for an early debate on the issue.

Mrs. Beckett: I know of my hon. Friend's long-standing concern about, and support for, manufacturing industry in his constituency and throughout the United Kingdom. He and I, together with some honourable Conservatives, advocated the cause of manufacturing industry when the Conservative party was trying actively to destroy it. I recognise the difficulties. My hon. Friend rightly said that the Government's economic policy is directed at trying to bring about the improvements in trading conditions that will help in the long term. However, he will know, as we all do, that much of the current difficulty results from problems experienced across the world. That is why it is important to ensure the right countervailing action in international circles. The Government are addressing that.

Sir Peter Emery (East Devon): I have two questions for the right hon. Lady. The first is entirely non-political and concerns the House. I am sorry that I have not given her notice of it. Will she consider the response by Ministers to written questions for a named day? She will recall the recommendations of the Procedure Committee, which were accepted 10 or 12 years ago, on the Government's practice of postponing answers to written

[Sir Peter Emery]

questions for a long time. Will she consider the possibility of a statement on the fact that questions for a named day are falling into the same pattern time and again, with answers such as, " I shall reply to the hon. Member as soon as possible"?

Madam Speaker: Order. The right hon. Gentleman is asking the Leader of the House a question on a matter for which she is not responsible at the Dispatch Box today. We are dealing with forthcoming business. She is not answering questions as President of the Council. If the right hon. Gentleman is seeking a statement, that is another matter, but he is getting into deep water. I think that the right hon. Lady has the gist of his question. I hope that his second question is about business.

Sir Peter Emery: I wanted a statement next week on the issue.

Madam Speaker: The right hon. Lady has got the point.

Sir Peter Emery: It is quite obvious. I should not be doing it otherwise.

My second question is on the Foreign Affairs Committee report. May we have a full day's debate? I was most concerned to hear the right hon. Lady say that the report contains "nothing new". None of the Committee members believes that. Indeed, had the right hon. Lady read the report instead of repeating it at second hand, she would not take that view. She said that the report has been debated extensively, but that is not accurate. There has been no debate on the report, which goes much further than foreign affairs and addresses the way in which Parliament holds the Executive to account. That, as much as the report, needs to be debated.

Mrs. Beckett: On the right hon. Gentleman's first question, I cannot promise him a statement next week. Perhaps the issue can be addressed at President of the Council questions. I know that there are genuine difficulties, particularly when hon. Members ask for a substantial amount of information to be provided within a short deadline. However, I shall look into whether there is a particular problem.

Secondly, the right hon. Gentleman asked me again about the report by the Select Committee on Foreign Affairs. We have had a full debate on the issue. The right hon. Gentleman says that there has been no debate on the report and the way in which Parliament can hold the Executive to account. However, an entirely unprecedented amount of information was made available and an unprecedented degree of access was allowed. I do not mean to be discourteous to the right hon. Gentleman, but I very much doubt that that would have been allowed when he and his colleagues were at the Foreign Office, so the Government have already addressed the concerns of Parliament.

Mr. John Cryer (Hornchurch): Could we have a second debate on the Jenkins report on electoral reform? When we last debated that report, about 50 Back-Bench Members applied to speak, but only a handful were able to do so. I did not have the opportunity to speak, so, along with many of my hon. Friends, I should like a second opportunity to debate the issue and to condemn the report as an attack on democratic accountability.

Mrs. Beckett: I fear that I cannot undertake to offer my hon. Friend such a debate in the near future, but I have heard and understood his comments. There is a great deal of concern and I know that many hon. Members wish to express their views on the matter. No doubt, they will have such an opportunity at some point.

Mr. Richard Shepherd (Aldridge-Brownhills): I join my right hon. Friend the Member for North-West Hampshire (Sir G. Young) in requesting a debate on the modernisation of Parliament and the reform of the House of Lords. As is consonant with our procedures, the right hon. Lady well knows that a major White Paper on constitutional reform does not require consultation through the usual channels, but it is a matter of honour for the Government to conduct such a debate. To argue that some of the proposals in the White Paper may be discussed in respect of a public Bill, which is narrowly drawn, on removing the hereditary principle from the House of Lord means that many of the issues in the White Paper could be ruled out of order by the Chair.

Mrs. Beckett: The hon. Gentleman's record of concern for the business of the House is well known and recognised by hon. Members on both sides of the House, but, with great respect, it is a little strong for him to say that debating a White Paper is a matter of honour. We have not followed the usual procedure for White Papers, which are often issued substantially in advance of legislation; in this case, the White Paper has been issued alongside the legislation, but it is a special case. However, I take the hon. Gentleman's point that some of the issues raised in the White Paper may not be touched on during the debate. I do not wish to anticipate what will happen in the debate, but, as I hope that he will have observed, I undertook to consider the matter through the usual channels. That is the right way to proceed.

Dr. Norman A. Godman (Greenock and Inverclyde): May we have an early statement on changes to the code of conduct governing the passage of submarines through our traditional fishing grounds? I remind my right hon. Friend that the previous Government introduced the code of practice following the tragic loss of Carradale fishing vessel, the Antares, with its four-man crew, long after hon. Members such as me had called for such a code of conduct. Allegations have been made concerning two incidents late last year involving breaches of the code and I am still awaiting answers to parliamentary questions that I tabled a considerable time ago. I am making a reasonable request for a substantial response to the allegations concerning those two breaches of the code of conduct.

Mrs. Beckett: I am sorry to hear that my hon. Friend, who takes a great and determined interest in those matters, has not yet had a response to his questions. I cannot offer him time for a debate or a statement in the near future, but I certainly undertake to take up with the relevant

Ministers the issues that he raised, because I know that they share his concern and will be anxious to give a response.

Rev. Martin Smyth (Belfast, South): Can the Leader of the House arrange a statement in the next two weeks on social security payments in different parts of the United Kingdom, especially when we are having more devolution? A lady came to live in my constituency in October, having been on disability living allowance in England. She contacted me yesterday because she has been turned down for the allowance on the ground that she has gone abroad.

Mrs. Beckett: I undertake to make inquiries and draw the case to the attention of the relevant Minister. Without knowing the particular circumstances of the case, I cannot be confident about how it might be handled, but I undertake to ensure that the relevant Department is aware of it.

Dr. George Turner (North-West Norfolk): Can my right hon. Friend arrange a debate on the progress, or lack of it, in digital television? For more than a decade, my constituents have had to put up with second and third-grade reception of analogue television. They are extremely annoyed that the technical opportunities offered by the roll-out of digital television to give them decent reception have not been seized. People from Norfolk do not want to have to watch regional transmissions from Yorkshire. People in up to 40 or 50 constituencies are forced, if they want to watch digital television, to use Sky, which does not offer ITV channels. The whole issue needs to be properly examined. Will the Government at least make a statement on their policy, so that the broadcasters know where Government want them to go before we legislate?

Mrs. Beckett: I undertake to draw my hon. Friend's remarks to the attention of the relevant Department. I am well aware, from my own experience, of the difficulties in television reception in many parts of Norfolk and of some of the regional sensitivities that arise. I fear that there may be a little too much optimism about the speed at which digital television will become available, but the Government are certainly considering the issues. A consultation paper was published last year, I believe, and we are considering the responses.

Mrs. Eleanor Laing (Epping Forest): Will the Leader of the House find time in the near future for a full debate on Gibraltar? While Gibraltar is in crisis and its people are being victimised by Spanish authorities, it must surely be right for Ministers to come to the House voluntarily—not as they have done today—and tell us what they intend to do to protect the democratic rights of British citizens. As we have seen today, a mere protest to the European Commission is simply not enough.

Mrs. Beckett: I cannot undertake to find time for such a debate in the near future. The Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin) made a full statement today. I wholly refute the hon. Lady's clear implication that we are in any way failing to stand by the people of Gibraltar. We are taking strong action that we hope and believe will ameliorate the problem and put an end to the difficulties. The Conservative party seems much more inclined to rattle sabres, shout and rant and call for the resignation of my right hon. Friend the Foreign Secretary. That will not help anybody.

Mr. Mike Hancock (Portsmouth, South): In view of the bungling and incompetent way in which the Ministry of Defence handled the consultation process on the future of the Territorial Army, will the Leader of the House accede to the earlier request for a debate on that subject, based on the Defence Committee's report? Like the right hon. Member for North-West Hampshire (Sir G. Young), I am concerned by the way in which the Minister of State, in a cavalier and discourteous way, has rubbished the report in advance of publication.

In addition, will the Leader of the House put pressure on the Secretary of State for Health to make a statement in the House on the way in which hospital facilities—particularly accident and emergency services—will be provided, in view of the MOD's decision to close the Royal Naval hospital, Haslar?

Mrs. Beckett: Let me begin where the hon. Gentleman ended. He will know that, although the decision to close Haslar has been taken, it has long been made clear that that will be done only when suitable alternative arrangements are in place. He also referred to the future of the TA. As he said, the Defence Select Committee report has been published this morning, so there has been no time for anyone to study it. I have taken on board the request that has been made for a debate, but I fear that I cannot find time for one in the near future.

Mr. Crispin Blunt (Reigate): Could the Leader of the House find time for an early debate on the relationship between the Executive and Select Committees? I am a member of the Defence Select Committee, which sat for a number of hours taking evidence, and also paid visits, to produce a report on the Territorial Army, which is being launched now by the Chairman of the Committee. Does she understand that it was outrageous for the Minister for the Armed Forces to say on "Today" this morning that the Government will reject any criticisms in the report? That, allied to the handling by the Prime Minister and Foreign Secretary of the report on Sierra Leone, shows that something is seriously wrong with the Executive's attitude to Committees of this House.

Mrs. Beckett: I utterly reject what the hon. Gentleman says. It is extremely important that there is a good and constructive relationship—which will sometimes be one of different and strongly expressed views—between Select Committees and the Government of the day. That is why the structure of Select Committees is as it is. They contain Members of all parties and reflect the composition of the House. That relationship is crucial to holding the Executive to account.

Difficulties are created if the Opposition use Select Committees simply as a ramp against the Government, and I have observed Opposition spokesmen using Select Committee reports in that way. It is better for Select Committees and the Government to have mutual respect for each other's roles. Often, that will lead to differing points of view. There is nothing wrong with that—indeed,

[Mrs. Beckett]

it would be quite wrong if Select Committees always approved of what the Government did. These matters need delicate handling by both sides.

Mr. Owen Paterson (North Shropshire): That last reply by the Leader of the House was absolutely astonishing, Madam Speaker. I was going to ask for a debate on fuel duties, but I am so amazed by that response that I shall not. As Members of the legislature, we are here to hold the Executive to account—that is what we are sent here for. Select Committee reports are all-party reports. How can the Leader of the House refuse a debate on the ground that it would be held for party-political advantage? Will she reconsider that now?

Mrs. Beckett: I do not think that the hon. Gentleman was listening to what his hon. Friend the Member for Reigate (Mr. Blunt) said. The hon. Gentleman asked me to arrange a debate not on the issue of an all-party report, but on the relationship between Select Committees and the Executive, on the spurious grounds—something that the Conservatives are continually alleging, on extremely flimsy evidence—that, in some way, the Government are in a different position in terms of being held to account by the Committees of the House. That is not the case, and it is not a matter that is worth spending the time of the House debating. That was the debate that I declined to have. I recognise that the Defence Select Committee report is serious. It will be looked at seriously by the Government, and we will produce our response in due course. However, a debate on the general relationship between Select Committees and the Executive is not merited at this time.

Mr. Eric Forth (Bromley and Chislehurst): Particularly in the light of what the Leader of the House has said in response to the last two questions, will she seriously and urgently review the whole matter of the Sierra Leone report? That report touches on the relationships that exist between the legislature and the Executive, between Select Committees and the House, and between Ministers and civil servants. Given the gravity of its findings, is it not highly urgent that this House should examine, first, what one of its own Committees has said and, secondly, what that reveals about relationships between Ministers and civil servants? Those are important and urgent matters, and they do not deserve to be treated in the way that the Leader of the House appears to have treated them so far.

Mrs. Beckett: With respect to the right hon. Gentleman, I have said about the Foreign Affairs Committee report only that, at first reading, it seems to us to cover similar ground as the report by the Legg inquiry. However, the Government will produce a full response to both Select Committee reports in due course. That is the proper way to behave and the Government will behave properly.

Mr. Nigel Evans (Ribble Valley): Will the Leader of the House arrange for an early statement on the Government's handling of the meningitis outbreaks? What are the Government's strategies, in both the short term and long term, to deal with the outbreaks, which have happened in south Wales, Scotland, the north-west of England, Southampton and elsewhere? We need to know what the short-term strategy is to ensure that organisations such as the Meningitis Research Foundation and the National Meningitis Trust get the proper resources so that they can fulfil their task of giving advice, guidance and counselling in areas where the outbreaks occur. There is also a need for long-term research to determine why outbreaks of meningitis in this country are at a 50-year high, and why the rate of incidence is three times as high as in the United States of America.

Mrs. Beckett: As the hon. Gentleman may be aware, a special investigation, chaired by the relevant medical authorities, is under way. He asked for a debate about the strategy for tackling the outbreaks, but I am sorry to say that the evidence appears to show that the problem does not lend itself to a strategy.

Mr. Evans: I wanted to know about both the short term and the long term.

Mrs. Beckett: I understand that, and those matters are being examined. The situation seems to change dramatically, and the cause of the disease is not well understood. That makes the problem particularly difficult, but I assure the hon. Gentleman that the Government—and the whole House—entirely share the concern that he has expressed.

Mr. John Bercow (Buckingham): Can we have a statement next week from the Secretary of State for Trade and Industry to discuss the Government's incompetence over the introduction of the working time regulations? As a result of those regulations, boys and girls who deliver newspapers will be eligible in law for up to four weeks' paid leave—which one assumes was not the Government's intention. Is the right hon. Lady aware that the National Federation of Retail Newsagents fears that delivery will end as a consequence, and that up to 10,000 jobs will be lost?

Finally, the right hon. Lady is a highly experienced parliamentarian: will she concede that the regulations were introduced, without prior parliamentary scrutiny, under the auspices of the lost and not lamented right hon. Member for Hartlepool (Mr. Mandelson)? He gave minimum notice but caused maximum hassle for business. Had the regulations' introduction not been so clumsy, would not this unholy mess have been avoided?

Mrs. Beckett: That would all be very interesting, but my understanding is that the working time regulations do not apply to paper boys and paper girls.

Mr. Bercow: That is wrong.

Mrs. Beckett: I am simply saying that that is my understanding. I know that the matter has appeared in the press today, but I am sure that all hon. Members will accept that that is not a guide. If the regulations do not apply, the question of incompetence does not arise. The matter is being considered most carefully, but my understanding is that there has been a misunderstanding.

Mr. Edward Leigh (Gainsborough): The Leader of the House said that there will be debates the week after next on agriculture and Northern Ireland. The right hon. Lady is a distinguished and courteous parliamentarian: will she have a word with the Ministers winding up those debates to ensure that they adopt a self-denying ordinance and do not launch pre-emptive strikes—friendly fire on members of Select Committees—before those committees publish reports? That is what the Minister for the Armed Forces did today. According to Teletext, the Minister

"would reject any criticism of the Government by the Committee."

Surely the normal convention is that Ministers say on the day of publication that proposals will be carefully considered. Our request is reasonable. Surely the Government do not want to be accused of packing Committees with pager poodles, but want independently minded Committees.

Mrs. Beckett: It is self-evident that the Committees are not packed with poodles. My understanding is that the remarks made by my hon. Friend the Minister for the Armed Forces were directed at suggestions that there had been inadequate consultation. That is a different matter from the main substance of the report.

I entirely share the view of the hon. Member for Gainsborough (Mr. Leigh) that it is right and proper that Select Committee reports should be given the weight that they deserve. They should be properly handled in the House, and it would be wise if hon. Members on both sides, in all circumstances, bore strongly in mind the convention that Select Committee reports should not be leaked or commented on in advance by anyone.

Mr. John Hayes (South Holland and The Deepings): Given today's shocking news that hospital waiting lists rose in December by a further 12,000, will the right hon. Lady allow time for an early debate on that subject? She will recall, as many people do, that the Government made an early pledge on waiting lists. I carry a copy of their pledge card as a constant spur to my evangelisation of the case against the Government, and to remind me of how many promises they are breaking. A debate would allow the Government not only to acknowledge that an early pledge has turned into a broken promise—that much is clear—but to apologise for it to the House and to the people.

Mrs. Beckett: The hon. Gentleman's remarks are entirely ill-placed. It is neither shocking nor surprising that there was, most unfortunately, a slight increase in the waiting lists in December. As my right hon. Friend the Secretary of State for Health has pointed out, if we had continued to issue the figures on the basis used by the previous Government, the slight increase would have been concealed because the figures on the quarter went down. The Government are entirely on course to deliver on our pledge. I am confident—I am sure that the hon. Gentleman and his party will welcome this—that delivering on the pledge will be made all the easier by the response to the nurses' hotline asking people to come back to the health service. That hotline has already received 22,500 calls.

Mr. Shaun Woodward (Witney): The Leader of the House will be aware of affection for RAF Brize Norton, and of the important role that it plays in the life of the nation. She may also be aware that Ministry of Defence officials have given a briefing discussing its possible closure. However, she may not know that the Ministry of Defence was asked this morning to confirm or deny those reports, and officials said that they were not in a position to do so as discussion was taking place on whether RAF Brize Norton might close in future.

Will the Leader of the House find time for an urgent debate on the future of RAF Brize Norton, and on the future of military airfields in the south of England? That debate could bring an end to the uncertainty created by Ministry of Defence officials.

Mrs. Beckett: I was not aware of the report, and I am afraid that I cannot assist the hon. Gentleman by finding time urgently for a debate. I recognise that the matter is of great concern to his constituents, and to others in the south of England. Ministry of Defence Questions will be taken on Monday 22 February. If the hon. Gentleman is fortunate enough to catch your eye, Madam Speaker, he may be able to find some way of raising the matter then.

Mr. Anthony Steen (Totnes): Has the Leader of the House taken a call since yesterday from the Prime Minister's office suggesting that a debate on the fisheries problem would be welcome and that the Prime Minister would like to participate in it because of his concern about the conservation issues that I have raised in well-researched and very penetrating questions? If the Prime Minister has not rung her, would she call his office to suggest tactfully that a debate would be well received?

Mrs. Beckett: I have spoken to the Prime Minister since yesterday, but I fear that the most pressing matter on his mind was not the call for an early debate on fisheries. However, I am confident that—as he said yesterday—my right hon. Friend is sympathetic to the concerns expressed by the hon. Gentleman.

Orders of the Day

Local Government Finance (Wales)

1.40 pm

The Secretary of State for Wales (Mr. Alun Michael): I beg to move,

That the Local Government Finance Report (Wales) 1999–2000 (HC 203), which was laid before this House on 3rd February, be approved.

Madam Speaker: With this it will be convenient to discuss the following motions:

That the Local Government Finance (Amendment) Report (Wales) 1998–1999 (HC 204), which was laid before this House on 3rd February, be approved.

That the Special Grant Report (Wales) 1999 (HC 177), which was laid before this House on 28th January, be approved.

Mr. Michael: The local government finance report contains my decisions on the local government revenue settlement for 1999–2000. It has been welcomed widely as the most helpful settlement for local government in Wales for many years. It is more generous than in previous years, but it also reflects our higher expectation of local government, the role of local government in meeting our commitment to improving education and other services, and our determination to achieve best value in the delivery of services and the outcomes we seek.

The special grant report sets out the grant allocations of bus subsidy grant to local authorities for 1999-2000.

Mr. John Smith (Vale of Glamorgan): I warmly welcome this statement and the record increase in service spending in Wales. I welcome particularly the additional funding for transportation and buses. Will my right hon. Friend confirm that the Government are able to ensure that local authorities spend the additional funding on the additional services that are required? Just this week, my constituent Mr. Howard Done collapsed in Cowbridge. He is in his 80s and was waiting in the freezing cold for a bus that is subsidised by the additional transport subsidy. That bus, run by Shamrock Coaches, did not come and neither did a second bus. Poor Mr. Done collapsed, was taken into someone's home and then transported back to Barry. It is essential that funds go where they are needed.

Mr. Michael: My hon. Friend raises a very important point. We must improve the quality of bus transport in rural areas, and I shall develop that issue in a moment.

In the settlement, the Vale of Glamorgan area will receive an increase in bus grant of 128 per cent.—or an additional £108,786—in the coming year, which is designed to address precisely the issues raised by my hon. Friend. I am sure that the local authority will be quick to take up issues concerning specific services and service efficiency. We shall enable the local authority to do more and provide the sorts of services to which my hon. Friend referred.

The £5 million that has been allocated to local authorities in the special grant report is an increase of £2.75 million—or more than 120 per cent.—on the settlement this year, and is designed to provide additional support for bus services. Of that sum, £3 million will be spent in support of rural bus services—an increase of 33 per cent. on the funding made available for such services in 1998–99. However, because the need for public transport is not confined to rural areas, the Under-Secretary of State for Wales, my hon. Friend the Member for Neath (Mr. Hain), and I have allocated a further £2 million and given councils the freedom to decide whether to spend it on urban or rural services.

This funding will make a tremendous difference to bus services in Wales. It will provide up to 16 million additional bus kilometres—or 10 million miles in old money—which represents an increase of more than 60 per cent. in the provision of socially necessary services compared with the position in 1997–98 when no such grants were available from central Government. I expect councils to use this new money imaginatively and effectively.

A related strand of our integrated transport policy concerns concessionary fares. From April, I expect all councils in Wales to operate schemes for pensioners that at least meet the minimum standard of £5 for a bus pass and half fare for bus travel. The increase in net total standard spending includes sufficient funds for that. Over the following two to three years, we intend to provide free concessionary travel for pensioners.

The amendment report for 1998-99, the third of the reports to which I referred, replaces the revised report approved by the House on 11 February 1998. An error in the data on the number of secondary school pupils in Cardiff came to light last summer, and my predecessor decided that it should be corrected. I believe that he promised the House that it would be. Local authorities were consulted and no comments were received. Its correction means that Cardiff county council's entitlement to revenue support grant will be reduced by £171,000 and the entitlement of the other 21 authorities increased by a similar amount.

I turn now to the details of the settlement for 1999–2000. Total standard spending, or TSS, net of specific grants, is general funding for local authority services. I propose to set net TSS for 1999–2000 at £2,986.6 million, an increase of 5.1 per cent. on 1998–99.

Net TSS comprises £180.1 million for Welsh police authorities, £2,804.7 million in standard spending assessments for the 22 councils, and £1.8 million in allocations to specified bodies, such as the improvement and development agency for local government and the local government ombudsman. The increase in total police provision represents a rise of 2.2 per cent. on 1998–99 and includes the amount for police grant to be paid by my right hon. Friend the Home Secretary that was approved by the House on 4 February.

Mr. Richard Livsey (Brecon and Radnorshire): The Secretary of State knows that the initial allowance for Dyfed-Powys police was 0.8 per cent., which is not enough to sustain the police service there. Has he done anything since the original announcement to improve the situation?

Mr. Michael: I am coming to an aspect of that which lies within the responsibilities of the Welsh Office, but responsibility for police grant lies with the Home Office. The hon. Gentleman may know that when I was Minister of State at the Home Office, I instigated research on the sparsity factor to address precisely that issue, which has been raised consistently by the Dyfed-Powys police. I understand that it is still hoped that the research will be completed in time to inform the next police grant settlement.

I propose to provide £2,570.2 million of aggregate external finance, or AEF, net of specific grants. That is an increase in central Government grant support of 4.8 per cent. on 1998–99. AEF is made up of £1,890.2 million in revenue support grant, £656 million in redistributed non-domestic rates and £22.2 million for council tax reduction grant.

As we promised in the White Paper "Local Voices", we are abolishing crude and universal capping. The Local Government Bill has been introduced and is in Committee. In line with the White Paper, I am not announcing capping principles in advance. I still have reserve powers to cap authorities if they do not budget prudently. I do not want to have to use my powers and will do so only as a last resort to protect tax payers from excessive council tax increases.

The Welsh Local Government Association has agreed that this is a good settlement for local government in Wales, and that council tax increases should be lower this year than in previous years. This positive approach, and the good partnership that exists, should mean that confrontation can be avoided.

Mr. Desmond Swayne (New Forest, West): Will the Secretary of State help the House by giving at least some indication of the criteria he will use when deciding whether a council should be capped?

Mr. Michael: No, I shall not: the hon. Gentleman has no constituency interest in a reply to that question. I have made it clear that I am working in co-operation with Welsh local authorities and that partnership is the right approach. Local authorities and, I am sure, Members of Parliament who represent Welsh constituencies understand the signal that is being given; which is that, as long as local authorities budget prudently and do not propose unreasonable increases, I do not intend to use the powers available to me.

Mr. Dafydd Wigley (Caernarfon): The Secretary of State emphasises that he is giving greater flexibility to local authorities, but does he accept that one area of the settlement in which flexibility has been taken away from local authorities is housing renovation? By taking a proportion of those funds into a central pool, the right hon. Gentleman has left local authorities such as mine in an uncertain position, now that they have lost £3.5 million from housing renovation funds. It appears that authorities are not to know until mid-March what their allocation from the fund will be.

Will the Secretary of State consider giving indicative figures some time this month, so that the authorities can go ahead and draw up their budget for housing in good time for the beginning of the next financial year? Without that, their housing renovation funds will be in chaos.

Mr. Michael: Setting priorities as we have done in matters such as education means that there are certain other budgets which, although we would love to increase them, we cannot increase to the extent that we would like. On housing, we are still spending at a higher level than is the case in respect of English local authorities. We shall work with the WLGA to get the best from the money available and to target the money more effectively. Ensuring that outcomes improve is the main target.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Did I correctly understand my right hon. Friend to say that we are now getting rid of rate capping? Given that we hope to get objective 1 funding from next year, does that mean that, however much objective 1 funding is available, if the Welsh Office cannot make adequate matching funds available, local authorities will be able set their own rate so that they can provide the 25 per cent. from within their own resources?

Mr. Michael: I said that we are abolishing crude and universal capping. It is in that spirit that I have worked with the WLGA, rather than set levels. That is the reason for my response to the hon. Member for New Forest, West (Mr. Swayne), who appears not to have understood the point. As for objective 1 funding, its financial implications for local authorities, and our working out how best to take advantage of it, I shall be discussing the matter with the WLGA as soon as we are certain of the decision—in respect of which I share my hon. Friend's optimism.

Mr. Swayne: On a point of order, Mr. Deputy Speaker. Is it in order for the Minister to refuse to answer perfectly proper questions asked by hon. Members in the House, and instead to say that it his intention to discuss the matter with the Welsh local authorities?

Mr. Deputy Speaker (Mr. Michael J. Martin): I understand the hon. Gentleman to be talking about his intervention. The Minister's reply to it was perfectly in order.

Mr. Michael: I am grateful, Mr. Deputy Speaker. The hon. Gentleman understood neither his own question nor the answer he received. Other hon. Members here present will understand me when I say that I commend the approach of the WLGA, with local authority leaders arguing their corner robustly, but in a positive atmosphere which contrasts dramatically with relations under the previous Government.

Mr. Chris Ruane (Vale of Clwyd): May I join in the exchange, in a positive and robust manner, to fight the corner of my county and my constituency? My right hon. Friend will be aware that, for the past two years, I have taken up the issue of Rhuddlan borough debt, specific to my constituency and my county. I am aware that he will not wind up today's debate, so may I take this opportunity to ask what action he has taken in respect of Rhuddlan borough debt?

Mr. Michael: I understand my hon. Friend's point. The problem arises not from the current local authority, but from its predecessor, and is a somewhat complex financial issue. My predecessor gave Denbighshire credit approvals of £2.5 million, repayable over five years, to help it to meet the problems that it inherited from the former Rhuddlan borough council. More recently, I offered to delay the repayment of credit approvals to help the

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council deal with the repayment of grant to the European Commission. I also offered a supplementary credit approval of £100,000 to enable the council to undertake a review of the former borough council's capital programme—in other words, to establish the facts.

I have heard today that Denbighshire has accepted my offer. I am pleased that the council has also confirmed that the district auditor is content with the proposed arrangements. That enables the council to tackle the immediate problems that it faces, and to identify the scope of any issues which may not previously have been identified. I would be very happy to meet my hon. Friend, and others who have an interest in the matter, in order to get the facts completely clear and to continue working with the council to find a solution to the problems that it faces.

It is clear that the formula used to distribute funding to local government is not perfect. Last summer, the Welsh Office and the Welsh Local Government Association agreed to fund an independent review of the SSA formula. The contract was awarded to the economics department of Swansea university, which will provide a final report this month. The Welsh Consultative Council on Local Government Finance will consider the report at the end of March. In the longer term, it will fall to the National Assembly and local government, through the Partnership Council, to agree which changes are to be implemented for the 2000–01 settlement, and for later years. That is a good example of how partnership between central and local government can bring about change. We all hope that the outcome of the review will be a formula that delivers a fairer and more equitable settlement to local authorities in Wales.

The £22.2 million that I am providing for council tax damping, through the council tax reduction scheme, will protect council tax payers from the continuing mismatch between SSAs and grant allocations. The scheme should ensure that increases for about two thirds of council tax payers in Wales are limited to about £1 a week. The parameters of the damping scheme were agreed by the WLGA, and as a consequence, the amount of damping grant for 1999–2000 has fallen by nearly 30 per cent. compared with this year.

The settlement provides an additional £70.2 million for local authority education services. My hon. Friend the Member for Neath and I will be monitoring budgets to ensure that at least that extra amount is spent on education. The increase supports the Government's commitment to improve standards of education not just in schools, where we expect the bulk of the money to be spent, but more widely, through initiatives such as the one for life long learning.

We are committed to improving the lives of children in public care in Wales. I have therefore made available an additional £5 million to support the introduction of a programme to improve the quality of local authority children's services and the life chances of children who are looked after by the local authority, by ensuring that they have the necessary education, health care and other support to make a successful transition to adulthood and independence.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): The additional £5 million is very welcome. It will be worth between £120,000 and £130,000 to Merthyr Tydfil county borough council. The cost of looking after children in care is rocketing, often as a result of decisions made beyond the local authority's jurisdiction, such as in courts. I gather that a White Paper on the issue is imminent. Will my right hon. Friend review the funding of children in care, because many local authorities will find extreme difficulty with it over coming months and years?

Mr. Michael: I understand the nature of the problem to which my hon. Friend points. As a member of the ministerial group which undertook detailed and serious work in response to the Utting report, I am acutely aware of the need for Wales to address those issues. I have also set aside a further £1 million to provide central support for councils' efforts to improve services for children living away from home. We need to look carefully at services for children, in co-operation with the Welsh Local Government Association and others that have an interest in the welfare of children.

I shall be working with local authorities and others to bring about an holistic approach to the needs of those leaving care. Very often, they have continuing personal difficulties and face problems with housing and employment. We should ensure that we provide joined-up solutions to joined-up problems. Some of the issues of social exclusion and of promoting social inclusion are very relevant to precisely the group of children and young people to which my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) referred.

The report of the north Wales child abuse tribunal of inquiry will have lessons to teach us about the need for constant vigilance to ensure that children living away from home are properly looked after and their welfare safeguarded. That, too, addresses the issues raised by my hon. Friend the Member for Merthyr Tydfil and Rhymney. I have undertaken to present the report to the House as soon as possible after I receive it, and the tribunal's findings will inform the development of the programme to which I referred earlier.

During the consultation on the provisional settlement, I received many representations about funding for the police. As I said earlier, the bulk of police funding is allocated by my right hon. Friend the Home Secretary, using a common formula for Wales and England. The concerns that were raised with me related mainly to the method that had been used to calculate capital charges, which inform the only part of the funding received by the police that I decide.

In response to the concerns about the sudden and unexpected results of the application of the Wales formula to capital charges, I decided to change the way in which capital charges are calculated. I stress that nobody had anticipated that the formula would have those unintended and damaging consequences. The final settlement takes account of that point and represents an improvement of £1.8 million over the provisional figures for the police in Wales.

I am pleased to be able to confirm my plans to delegate the strategic development scheme to local authorities. I have worked closely with the Welsh Local Government Association and the Wales Council for Voluntary Action to agree robust arrangements to ensure that the change will not lead to a cut in funding for the voluntary sector, a concern that was widely expressed. Instead, it will lead to more creative, co-operative and productive working between the sector and councils across a broad span of services.

Decisions should be made at a local level, but there must be partnerships between councils and the voluntary sector to ensure that best value is achieved. Meetings with county voluntary councils or their equivalents have taken place or are about to take place in all 22 authority areas in Wales. That is clear evidence that the agreement is working in practice. I am also pleased to say that the WLGA and the WCVA have agreed with me to set a September deadline for agreeing compacts in each part of Wales to reflect at local authority level the Welsh compact between Government and the voluntary sector.

My predecessor and I have made significant progress in building a strong partnership with local government in Wales. The National Assembly for Wales will build on the strong foundation that we have laid.

Partnership can help us to achieve the shared aim of providing the best possible service to the public. Through best value and meaningful consultation we shall be able to ensure that the services provided are meeting the needs of people in Wales. Traditional patterns of service provision have created boundaries, and people at the margins have fallen through the cracks between services. The Government's approach to social inclusion—as we describe it within Welsh policy and the Welsh budget—aims to ensure that those cracks between services are closed and that the most vulnerable in our society are not forgotten.

Following the comprehensive spending review, the Government have been able to provide local government with certainty of funding. The indicative figures that I have published for the two years after 1999–2000 will allow local government to plan more effectively into the future. Service priorities can be planned over a three-year horizon, and local government welcomes that.

This is the last time that the House will be asked by a Secretary of State for Wales to approve spending plans for local government in Wales. From 2000–01, it will fall to the National Assembly for Wales to make those decisions. The people of Wales will benefit from the governance of an Assembly comprising their elected representatives, making decisions that reflect Welsh needs.

My decisions give local government in Wales a good deal that has received the support of the Welsh Local Government Association. They seek to build on the outcome of the Government's comprehensive spending review and balance my responsibilities for local government with those that I have for other public services in Wales. They represent yet another step towards redressing past funding inequalities. I commend them to the House.

2.4 pm

Dr. Liam Fox (Woodspring): As other hon. Members wish to speak and time is limited because of the private notice question earlier, I shall keep my comments to a minimum.

The Secretary of State said at the outset that he believes that, as a result of the settlement, council tax increases should be lower than in recent years. However, the Government's figure of £1.40 a week would constitute an increase of about £75—that is, 13 per cent. for a band D household, which is more than last year's average 12 per cent. increase across Wales.

Ordinary Welsh families will be paying more than 25 per cent. more in council tax than they paid in 1997–98. Moreover, the figure does not include community council precepts, the cost of discretionary rate relief for businesses and the new arrangements for council tax benefit subsidy.

The Government have heaped new costs on to councils. Pensions contributions have increased because of the Government's decision to abolish advance corporation tax, and councils will be expected to meet the cost of the teachers' pay deal announced last week. The minimum wage will also have implications for local authority spending. When all those factors are taken into consideration, it is likely that ordinary Welsh families will once again face steep tax increases.

Moreover, the Government's decision not to announce in advance the top limits for what councils will be allowed to spend means that there is no guarantee that some councils will not increase tax rates by even more. Although the Secretary of State will continue to have reserve powers to cap council spending after council budgets have been set, he has refused to say what criteria he will use in making that decision.

The answer that the Secretary of State gave my hon. Friend the Member for New Forest, West (Mr. Swayne) was quite unacceptable. He implied that as my hon. Friend did not have a constituency interest, he was not entitled to the same answer as hon. Members who had Welsh constituencies. That shows the contempt with which the Government treat the United Kingdom Parliament.

Perhaps the Secretary of State will now tell us how much pain ordinary taxpayers will have to endure before he acts on capping. The Government claim to be committed to ending what the right hon. Gentleman called "crude and universal" capping. By deciding not to announce provisional cap limits, the Government fail to tell us what will be appropriate or inappropriate, so councils will not know in advance how much they can spend. That gives the Government the opportunity to decide the capping criteria that they eventually use on the basis of which councils they wish to affect, in order to avoid the embarrassment of having to cap a large number of their own authorities.

The Government have replaced "crude and universal" capping with arbitrary and retrospective capping. The changes further blur accountability in local government and reduce transparency.

As the House knows, at present the full bill for council tax benefit is met by central Government. The Government's White Paper, "Modern Local Government: In Touch with the People"—of course, every Government document must contain the words "modern" and "people"—was published in July last year. That proposed transferring some responsibility to local authorities for meeting council tax benefit above a certain threshold. *[Interruption.]* Yes, "modern" is a great word. I am sure that the people who found themselves on the increased hospital waiting list in December will be happy that those were modern waiting lists, not just old waiting lists.

The provisional settlement in December made it clear that the Government intended to press ahead with their proposal. Despite vigorous opposition from local

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authorities, the Government have decided to implement the scheme. That would mean that where a local authority increased council tax above a certain level, council taxpayers would have to pay even more to subsidise some of the cost of council tax benefit. The scheme will have a disproportionate impact on council tax payers in less-well-off areas where an above-average proportion of residents are in receipt of CTB. According to the Local Government Association, which the Secretary of State is fond of quoting, that will mean "the nearly poor paying for the really poor".

Following the elections to the National Assembly for Wales in May, the Assembly, as the Secretary of State said, will assume responsibility for matters relating to local government finance in Wales, including the distribution of grant and capping powers. The amount of revenue support grant awarded to a council is not specified by law, and will therefore be totally at the discretion of the Assembly. The Government of Wales Act 1998 provides no protection for councils in the north, east or west from domination by the Labour heartlands. I am sure they will give consideration to that.

Mr. David Hanson (Delyn): The north is the Labour heartland.

Dr. Fox: Hon. Members from other parties would have a difference of opinion with the hon. Gentleman.

The Assembly will also be able to reduce the total amount of money that it gives to local authorities in Wales. It could give the funds to any other body, such as the Welsh Development Agency, or, more likely, spend the money itself. The Assembly could even introduce its own tax-raising power through the back door. It could deliberately hold back funds from councils, safe in the knowledge that those councils would be forced to raise council tax, which they will be able to do if the Assembly decides to lift capping restrictions.

Business faces a similar threat, as calculation of the national non-domestic rate will pass to the Assembly. At present, the Assembly may increase the rate only in line with inflation—or less, with the consent of the Treasury. The Government are, however, reviewing that system. Even if it is left unchanged, inward investment may suffer in the meantime, as firms choose not to locate in Wales in case they face a much higher business rate in a few years.

I should like ministerial answers on two specific areas. The first is debt. What is the total council debt in Wales and what is the total cost of servicing the debt? Which are the five councils with the worst record in terms of total debt? Secondly, what is the total amount of uncollected tax in Wales? How much of that relates to the community charge and how much to the council tax? How many councillors still owe tax? How many Labour candidates for the Welsh Assembly still owe either community charge or council tax? When tax is not collected, the honest taxpaying public have to pay extra, which is a burden. They have a right to know if any of their elected representatives are putting a heavier tax burden on taxpayers than on themselves.

There is much that the Welsh Assembly will be able to do. I say to the Secretary of State that I hope that one benefit it will bring will be scrutiny—greater than any that has ever been carried out by this House—of how local government money is spent and how local government is financed in Wales. I wish those who will take part in that scrutiny well, because the Government have a record of which they should not be proud. This House should have scrutinised them better.

2.12 pm

Mr. Win Griffiths (Bridgend): I should like to say—virtually without qualification and bearing in mind the crowded agenda for change and improvement, which has been necessary after 18 years of Tory government—that the settlement for local government in Wales is good news.

It provides for a record increase and the settlement must be considered in the context of the three-year rolling programme. It will give those in local government—not only officials in their offices, but school head teachers and governors—the ability to plan their budgets three years ahead, and to do so with confidence, in the knowledge that the Government are determined to tackle and keep control of inflation. Each year, people in local government will know that they will get an above-inflation increase in their budgets. That is a fundamental part of this process.

I was not surprised that the Opposition spokesperson—the hon. Member for Woodspring (Dr. Fox)—kept his remarks brief, because he did not have that much to say. He attempted to make something out of the capping issue, although, over the years, the Conservative Government did not have to cap councils in Wales. Those councils have always tried to act responsibly—even in the days when they were being cut to the quick by the previous Government. It is significant that the hon. Gentleman did not bother, either, to compare the Tory record of grants to local government with that of the Government. The two cannot stand comparison. We are streets ahead and, for the first time for a decade or more, local government can begin to plan the development of its services with confidence.

At the end of his speech, the hon. Gentleman was forced to refer to a number of matters that are irrelevant to the debate, such as council debt and council tax and community charge debtors. The record of collecting council tax and community charge in Wales—and certainly in my own authority of Bridgend—is very good, despite the incredible efforts, and the totally wrong-headed policy, of the previous Government. Eventually, they had to give up that policy, even though it cost us all 2.5 per cent. on value added tax.

Mr. Nigel Evans (Ribble Valley): Will the hon. Gentleman tell the House, and his constituents, what percentage increase band D people in his constituency will pay following this good deal on the settlement?

Mr. Griffiths: As the hon. Gentleman ought to know, it is not my responsibility, nor is it the responsibility of this House, to determine what the council tax and council spending will be next year. The local authority will decide, and I am confident that Bridgend county borough council—given the additional resources made available to it by the Government and its responsible attitude towards council tax increases—will do the right thing for its electorate by making sure that the council tax increase is not excessive and that council services will improve during the coming year.

For example, my right hon. Friend the Secretary of State made an appeal for the additional £70 million specifically to be spent on education, and largely on schools. Quick reference was made to the cost of the teachers' pay settlement and that £70 million will ensure that school governing bodies will have the money to pay their teachers in full. The total additional amount being made available in Wales is more than the estimated cost of the teachers' pay increase. The previous Government could not say that with any confidence about the funding that they provided. They were always asking local government to find some of the money out of savings from somewhere.

Although I believe that there is still scope in local government for more savings to be made, for more efficient services to be provided and for best value to become reality, at least this year local authorities know that the teachers' award can be funded, in full, from the additional money.

I also recognise that despite the fact that the settlement is above inflation, local government could still wish for more money because it wants to provide a better service for children and older people, to do more to repair schools and to renew and modernise council properties. However, we know that there are huge problems in the national health service, such as those connected with modernising and funding it properly. The rural economy is also facing huge problems to which a lot of attention must be paid.

There are so many fronts on which we must fight to recover decent standards of public service, to strengthen the Welsh economy and to make Welsh people more prosperous, that we can never satisfy all demands at once, but the settlement clearly shows that the Government are determined, year on year, to provide more money for local government in Wales.

Over the three-year plan, there will be a 15 per cent. increase in our settlement, provided that we can meet our inflation targets. I have every confidence that my right hon. Friend the Chancellor of the Exchequer and the Bank of England will be able to achieve that. That means that we can have above-inflation increases year on year. There will be £70 million extra for education this year; next year, that sum of money will still be provided, plus another £75 million, and the year after that it will be augmented by another £80 million.

These measures are such a positive step forward that the previous Government must be wondering how they managed—or mismanaged—the economy and public services. They were always rabbiting on about good-quality services, but they lamentably failed to provide a framework and a funding system that enabled such standards to be achieved.

In the last year for which the Conservative Government had responsibility for local government funding, the average spending per pupil in Wales was £2,284, whereas under this year's budget it will be £2,431, which is an increase of more than 6 per cent. In my local authority in Bridgend, the figure increases from £2,236 to £2,402, which is an increase of more than 7 per cent. We have a little catching up to do, because we are below the Welsh average.

There is a determination to achieve such improvements because the Government have a positive view of local government. They believe in working in partnership with local government, and they want the Welsh Office and local government to work together to try to tackle the problems of providing high-quality services. Moreover, that partnership at a local level also spreads through other Government agencies and the private and voluntary sectors.

For example, it is important that the police, local authorities, the probation service and the voluntary sector work together to tackle the problems of law and order and youth justice, so as to make the most of the available money and to provide a comprehensive and integrated service. I am sure that hon. Members from Wales will confirm that the issue of vandalism is raised at every surgery. Young people congregate around community centres, sometimes making it impossible for other people to be confident that it is safe to meet there. That is the legacy of the previous Government's 18 years of neglect of public services in Wales.

I welcome and much appreciate the additional money going into education. However, there are still significant problems with the assessment of the requirements of children with special educational needs. That provision is a constant problem for local authorities across the United Kingdom, because it is demand led. It is difficult to make a budget estimate of what is needed, and to provide the funding to ensure that children with special educational needs receive appropriate help and support. It may be more appropriate for the Assembly to look into this matter, but there is a strong case for examining that provision afresh and deciding whether it requires specific special funding.

Although I welcome the £5 million to ensure that the recommendations of the Utting report on children in care are implemented, there is still a huge agenda of concern that goes beyond the provision of funding for services. It relates to the culture and the attitude to children adopted by the different services—teachers, social workers, probation officers, the police or voluntary sector providers of services for children. Sometimes their views on how children should be dealt with are so different that it causes unholy difficulties.

Part of the problem is the different perceptions held by each service. The Secretary of State for Wales should get all those with relevant responsibilities round the table because they should work much more closely to a common agenda to ensure that children are provided for, whether they are in school, in youth clubs, subject to community service orders or in residential homes.

On the additional funding made available in the significant, ground-setting decision on transport, the £5 concessionary pass card and the 50 per cent. minimum reduction in bus passes for old-age pensioners are to be rolled out into a free service. That was an incredibly important decision. It will give older people new opportunities. The Welsh Office team should be highly commended for that decision.

The Government are also providing free eye tests for pensioners and are making efforts to provide better public services for them. We should also consider what local government and the voluntary sector can do for pensioners to help them live at home, so avoiding the need to take up expensive hospital beds.

On the eve of elections to a Welsh Assembly, the Welsh Office, my right hon. Friend and his fellow Ministers have provided a vision and a pathway for the

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Assembly to tread which I believe will deliver to Wales and the people of Wales a Government of whom they can be truly proud in the 21st century.

2.28 pm

Mr. Lembit Öpik (Montgomeryshire): It is such a shame that the Conservatives are no longer in power, because as I listened to the hon. Member for Woodspring (Dr. Fox) I realised that, if only they were in government, we would have happier pensioners, uncapped councils, shorter waiting lists, improved social provision and perhaps even a better form of devolution than the one we have got. Two years in opposition—two years in oblivion in Wales—has clearly had an edifying and regenerating effect on the Conservatives. I feel tingles of anticipation down my spine when I consider the 70 years of preparation that my party has had.

With 18 years of preparation, the Labour party is somewhere in between. Although the overall settlement is much less unreasonable than those we have had in the past, it is hardly overgenerous. Indeed, the treasurer of Powys, which is the area I know best, feels that it is a standstill budget. Council tax will increase by more than 8 per cent., which is more than twice the rate of inflation. That worries my constituents, and it should also concern us. It is, in effect, a form of indirect taxation to raise money that is desperately needed by our local authorities. It would have been nice to have found a more equitable way of doing that than increasing council tax, which harms those who are least able to pay.

It is odd that the Conservatives feel justified in criticising these figures, given that it was a Conservative Secretary of State who, not so long ago, handed back £100 million from Wales to the Treasury in Westminster. That hardly smacks of fighting the people's corner in Wales.

Let me make some specific points about the settlement. It is clear from the figures that our spending on health and education is, to some extent, at the expense of social services, which are, in a sense, a hostage to Labour's political requirements. Having made promises, the Government are now having to juggle between important services in order to fulfil their commitments. The elderly and the mentally ill, who were not blessed with inclusion in the Government's early-trumpeted pledges, may suffer the most.

The problem is the lack of integration between social services and health departments. Many organisations, including the Welsh Local Government Association, believe that Welsh social services are currently being underfunded to the tune of £95 million, and that is likely to continue to exert a pressure in the system. Extra money for health cannot be used most efficiently unless social service provision improves in tandem. Too often, beds are blocked because patients cannot get the home support or the residential home places that they need in order to leave hospital. In Powys, it almost pays for a person to become infirm at the beginning rather than the end of the financial year. The common-sense solution is to integrate social service and health provision, and the Liberal Democrats have long argued for that solution.

Mr. Win Griffiths: Will not local health groups allow that to happen? Have we not something positive to look forward to?

Mr. Öpik: I agree. The establishment of local health groups paves the way for exactly the strategy that we have in mind. I do not want to speak in purely parochial terms, but we have the chance of securing a fully integrated social service and health system in Powys—and, I imagine, in other areas where the relevant professions have a real opportunity, and a real desire, to take part in the experiment. So, I agree with the hon. Member for Bridgend (Mr. Griffiths).

I ask Ministers to push the boat out a little in encouraging such experiments, and to see how the ideas work in practice. There will, of course, be a small amount of risk—the experiment may not work—but it will be a good way of making investment in social services and health go a little further. We will get more for our health and social services buck if those two parts of the public sector are allowed to work in the most efficient way possible.

More than one in eight houses in Wales is defined by objective criteria as unfit for human habitation, and the figure rises to one in four in the case of private rented accommodation. That, surely, will have consequences in terms of social services and health, which must be tackled head on. Funds available for private-sector renovation grants were cut by £30 million between 1996–97 and 1997–98, and are likely to be slashed this year, even though bad housing is a key factor in poor health. It is money down the drain: we are trying to cure the symptoms, rather than tackling the cause. The Secretary of State has used the phrase "joined-up thinking". I urge him and his fellow Ministers to do some joined-up thinking about health, and to recognise that the roles of social services and housing are related.

As for pay settlements, local authorities are, to an extent, hostage to central Government's decisions on wage bills. There are welcome pay increases for nurses and for some teachers, but others are far less fortunate. Despite proclamations to the contrary, pay settlements always put severe pressure on local government finance. Pay awards are always the Achilles heel. Incidentally, many nurses will not be fortunate, because they are in the middle tier: those who are not new entrants, and are not thinking of leaving the profession, have received a far less generous settlement. It goes without saying, however, that there is pressure on local authorities to meet the wage bill before doing anything else.

The alternative is to lose jobs, but that puts even more pressure on services that are already under strain. We must consider the consequences carefully before giving unequivocal support to the guidance on wage bills. Naturally we should all like nurses and teachers to be paid more, so I worry that local authorities may not have enough money to pay them more without cutting other services.

The Minister said that he considered the need for an holistic approach to social provision important. I interpret that as tacit support for what I have said about the desirability of collective health and social service planning. The savings achieved by such sensible investment might help to ease the pressures on the wage bill.

Waiting lists continue to be a worry, but it may be possible to reduce them by eliminating them altogether in some areas—preventing people from requiring the health service in the first place—if we invest in primary health care. Again, there is an opportunity for health and social service departments to work together, and to prevent people from ending up in hospital by explaining what they can do to stay healthy.

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire): Such as giving up paragliding.

Mr. Öpik: I have not the first idea why the hon. Gentleman should suggest that, but I will say that the Liberal Democrats seem to have been far less successful in parachuting politicians into Wales than the Government. I have wanted to say that for a long time.

We need to consider the formulae whereby local government settlements are determined. Rural areas may still be suffering a little more than they should, given the extra cost of services in such areas. Local authorities need more control over how they spend their money. Some of us feel that there is too much guidance from the centre. Such guidance is sensible to some degree, but there must be a balance.

We heard something about transport policy from the Minister. It is welcome that pensioners will have a better deal, but we must bear in mind that public transport is virtually non-existent in some areas, and that we shall need an awful lot of extra money before the enormous damage done by the last Government begins to be rectified. Liberal Democrats are realistic enough not to expect all that to happen overnight, but we feel that we must be constantly attentive. I hope that, co-operatively, we can find solutions, perhaps by focusing on specific issues—for instance, the need for integration of bus and rail services.

Mr. Win Griffiths: As in Powys.

Mr. Öpik: Indeed—there and elsewhere, but I am talking about the need to ensure that the bus does not leave five minutes before the train arrives.

Let me say a little about the general question of funding. There is a case for putting in a little more centrally, perhaps taking it from the contingency fund that the Government appear to be amassing; but most of the funds must result from our acting more smartly rather than simply throwing money at the problems. I hope that the hon. Member for Ceredigion (Mr. Dafis), who will speak on behalf of Plaid Cymru, will explain how his party intends to fund local government at the same level in the event of an independent Wales. I am not here to criticise Plaid Cymru's central separatist agenda, and I do not condemn it for holding a separatist view—such a view is politically legitimate, even if I disagree with it personally—but I hope that its spokesman will explain how, within a separatist agenda for an independent Wales, it intends to come up with the kind of money that the Government have promised and the Liberal Democrats have demanded to maintain services at anything like the present level. Clearly, Europe will not fund our local government requirements, so we tend to assume that the money would come from a massive increase in taxation, but I look forward to hearing what others in the Chamber have to say about that.

The settlement is not unwelcome. It has some reasonable elements, but we still feel that there is a great opportunity to think more smartly, to act more holistically and to allow local authorities to experiment in that way. If the Government are willing to take such a risk, I am sure that many in local government would be eager to take up the cudgels of that approach. We cannot fill potholes with promises, but we can fill them with policies.

Some of those policies might be of interest not just in Wales, but in other parts of Britain. We have said many times that the experiment in devolution in Wales may act as a guide to other parts of the United Kingdom and, indeed, to Europe. If we make breakthroughs through integrating our systems and through, in some measure, trial and error, the benefits may be felt well beyond the borders of our nation.

2.41 pm

Mr. Chris Ruane (Vale of Clwyd): Thank you, Mr. Deputy Speaker, for the opportunity to participate in the debate.

I start on a positive note. The additional finances that have been given by the Welsh Office have been well received in my constituency, with annual spending going up from £91 million to £97 million in 1999–2000. The additional resources that have already been given to education have been welcomed by parents, teachers and pupils in my constituency. They make a welcome change to the five years of year-on-year cuts in the education budget in Denbighshire under the previous Government.

The additional education funding has meant that, in September, an extra 17 primary or infant school teachers were employed in my constituency. I was a primary school teacher for 15 years. During that time, the biggest complaint that I received from teachers and parents in the urban areas of my constituency was about class sizes. I once taught a class of 39 eight-year-olds and I can personally vouch for the disproportionate effect an additional 10 children can have on the education of the whole class. The £70 million that we will pump into education next year equates to an extra £140 per pupil per year. That is a massive increase on what the Conservatives provided.

The additional money for public transport in Denbighshire is also welcome. It will have a big effect on the poor wards in my constituency, where car ownership is down to about 40 per cent.—60 per cent. of people do not own cars. Cars are a necessity in my area because of the rural-urban mix. They are necessary to get to places of employment. If people do not have a car or access to public transport, they will not have a job.

Perhaps one of the biggest changes under our new Labour Administration is the improved relationship between local government and the Welsh Office. That is reflected by the fact that no capping limits have been set. Under the new spirit of co-operation, that means that existing powers will not have to be used to rein in councils. All those are positive developments in local government finance in Wales. Welsh Office Ministers should be congratulated on securing that additional finance for Wales.

On a more local level, I have concerns about the particular financial circumstances in my constituency and county. My constituency forms the northern part of Denbighshire. The county's finances suffer for several reasons. The first is that Denbighshire is a small county in terms of population: it is just 89,000, compared with

[Mr. Chris Ruane]

approximately 132,000 for Wrexham, 120,000 for Flintshire and 110,000 for Conwy. Therefore, its overheads are much higher than those of most counties.

The second reason why my county suffers is that it is neither urban nor rural—rather, it is both. The northern end of the county contains the towns of Prestatyn and Rhyl, which is the second largest town in north Wales. The southern end of the county is largely rural and characterised by small isolated settlements. The current funding system in Wales does not favour such counties. I ask the Minister to examine that issue.

The third reason for the poor state of Denbighshire's finances is the legacy that was left by the old borough council of Rhuddlan. I should like to outline that issue and its impact on finances in my county.

Rhuddlan borough council existed from 1974 to 1995. In the final years of its existence—from 1990 onwards—it applied for a number of European grants, which were match-funded by the Welsh Office. In the final two years of the council's existence, many applications for funding were made by the council and granted by Europe and the Welsh Office.

When the new council of Denbighshire was established in 1995, evidence started to emerge that those applications were not made in accordance with the rules. As a result, the new county of Denbighshire has been saddled with debt of nearly £8 million. That debt could rise significantly as a result of further investigations. It has to be serviced by the county. The impact of a small population base, the rural-urban split and servicing that massive debt is having a dire effect on the level of services in Denbighshire.

For the past four years, local people, including me, have sought answers as to how all that came about. I have used an array of parliamentary procedures to try to get the truth. When first elected, I sought a meeting with the then Secretary of State for Wales, my right hon. Friend the Member for Caerphilly (Mr. Davies), to explain the situation and to ask for financial help and an inquiry.

I wrote to the Public Accounts Committee and it said that it was not their responsibility, but the responsibility of the Audit Commission. I wrote to the Audit Commission; it said that it was not its responsibility. I wrote to the National Audit Office; it said that it was not its responsibility. I have drafted numerous written parliamentary questions and asked for advice from the House of Commons Library.

I have had meetings with the former Welsh Office Minister, my hon. Friend the Member for Bridgend (Mr. Griffiths), the Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, Central (Mr. Jones), and the current Secretary of State for Wales, who is prepared to help. Indeed, he has already given Denbighshire an additional supplementary credit approval for the current financial year of £100,000, and has decided not to offset Denbighshire's credit approval for 1999–2001 by £1 million, to assist Denbighshire to repay the grant to the European Commission. However, that is not enough.

The Welsh Office under the last Conservative Administration must bear some of the blame and some, if not all, of the cost. It had the ability and the responsibility to audit those accounts regularly. Over £1 million of Welsh Office, or should I say public, money was used in Rhuddlan borough. Those grants were not properly monitored. Therefore, I am asking the Secretary of State to do two things: to increase the rate support grant for Denbighshire over the next few years, so that the debt can be settled; and to set up a full inquiry into the Rhuddlan borough debt. That will be of benefit to my constituents and the people of Denbighshire in general.

Mr. Martyn Jones (Clwyd, South): As my hon. Friend knows, I represent part of Denbighshire. I endorse all his statements about the problems that it faces. I add my request to the Secretary of State for an inquiry into that matter because it causes great problems to my constituents.

Mr. Ruane: I thank my hon. Friend for that intervention.

A full inquiry would be of benefit not only to my constituents, but to the people of Wales. We must learn the lessons of what happened in Rhuddlan borough council, so that we do not repeat the mistakes when Wales receives, I hope, its £2 billion-worth of objective 1 funding from Europe, starting in January.

It is important that the inquiry has the power to summon witnesses. The key players in the affair have been very reluctant to supply the information that is required to answer the questions that are being put by the public. I understand the Welsh Office's reluctance to grant a full-blown public inquiry—there have been only 24 such inquiries since 1921. They can be expensive. The cheapest was Lord Cullen's inquiry into the Dunblane massacre, which cost £1 million. The dearest, I think, was the inquiry into child abuse in north Wales, which cost £15 million. I realise that Rhuddlan's debt is not in the same league as Dunblane or the north Wales child abuse issue, but it has left a considerable legacy for the finances and body politic of Denbighshire, which will be eradicated only if there is a full inquiry into what went wrong.

I look forward to the full co-operation of my right hon. Friend the Secretary of State and the Welsh Office in settling this long-running issue and await with interest the comments of my hon. Friend the Minister.

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): I understand my hon. Friend's strong feelings about the injustice of the situation that his local authority finds itself in. He explained the great cost of a public inquiry, but then said that holding one would solve the problem of Rhuddlan's debt. In what way would a public inquiry alleviate his authority's debt problem?

Mr. Ruane: I am asking for two things. The way for the problem of the £8 million debt to be alleviated—

Mr. Martyn Jones:—is for the Welsh Office to pay up.

Mr. Ruane: Indeed, is for the Welsh Office to pay up, mate. A population of 89,000 people cannot repay the debt. We are looking to the Welsh Office—which should have been monitoring the situation over seven years—to help us out. The inquiry is a separate issue, but we must have one. The issue has been going on for four years. The public clamour for an inquiry has not abated. It is getting worse and I agree with the demands. We must have a proper inquiry to ensure that we learn the lessons. That is in the interests of the Welsh Office for possible future European grants and it is in the interests of my constituents. I thank the Welsh Office for the help that it has given, even though it has been a long time coming.

2.52 pm

Mr. Cynog Dafis (Ceredigion): I shall start by slightly modifying my speech to respond to the rather puerile attack—if it can be called an attack; it was more of a sniping exercise—from the hon. Member for Montgomeryshire (Mr. Öpik) on Plaid Cymru. We have been expecting it for some time and were wondering when it would come. We were aware that the Labour party was too engaged in its affairs to turn its guns in our direction. We expect that to happen in the next month or so. We shall be ready, having prepared our policy in considerable detail. It will be interesting to see the detailed policy development of the other parties in preparation for the Assembly. The Liberal Democrats have at last got round to sniping at Plaid Cymru, because of their desperation about their awful position in the opinion polls. I am sorry, but that is the reality.

The hon. Member for Montgomeryshire invited me to imagine a Welsh local government budget in what he described as an independent Wales. It is possible to construct such a budget. It would be a difficult budget, bearing in mind the current condition of the Welsh economy, but it could be done. However, it would be an academic exercise, because a so-called independent Wales—the hon. Gentleman is still using the language of the 19th century—is not on any agenda for the next five, 10 or even 15 years. Plaid Cymru's agenda is to make the existing constitutional settlement—the National Assembly for Wales—work well for Wales. We shall also be pushing for parity with Scotland, which has been given a far better settlement, as soon as possible. I trust that we shall have the support of the Liberal Democrats. I am confident that we shall also have the support of many Labour Members.

The eventual constitutional outcome for Wales is, to a large extent, in the lap of the gods. It depends a great deal on what happens to the European Union and the enterprise for European federalism. It also depends on the democratic will of the people of Wales. Let us leave it to them. Plaid Cymru aspires to full national status for Wales, but full national status could be significantly different in 10 or 15 years from what it is today for the Republic of Ireland, Denmark or any other so-called independent European country. There will be a convergence between the constitutional status of the Basque country or Catalonia and that of Ireland, Denmark and other states. The terror of independence and separatism—the bogey that the hon. Gentleman is trying to raise—will disappear over the horizon.

Mr. Öpik: I did not mean the hon. Gentleman to feel that I was sniping. I was attempting to make a serious political point. The first sentence in Plaid Cymru's general election manifesto said:

> "Plaid Cymru is the only party which places a self-governing Wales in a European Union at the forefront of its political agenda."

Is that right?

Mr. Dafis: I am happy to confirm that that is our position, but it is not relevant to the hon. Gentleman's point. The implication of his comments seemed to be that Wales was inherently incapable of getting into the position of being able to pay its way. The suggestion was that Plaid Cymru could never get such a local government settlement in an independent Wales. He is saying that Wales could never ensure a generous settlement for its local government. If that is what he means, he has a dismal view of the potential of Wales. We reject that.

I agree with much of what the hon. Gentleman said about the settlement. I can be more generous to him than he was to me.

Mr. Jon Owen Jones: Before the hon. Gentleman leaves the subject on which he was having an interesting debate with the hon. Gentleman from the other side of the Cambrian mountains from him, I hope that his comments about the present settlement will reflect the fact that Wales's tax base—its GDP—is 83 per cent. of that of the rest of the United Kingdom. His aspirations have to reflect the reality of that low tax base.

Mr. Dafis: I could not agree more. That is a reality that would make it very difficult to come up with a robust Welsh budget at the moment. Does the Minister agree that there must be reasons why the Welsh tax base is in such a parlous condition and the Welsh economy is in such a state? It has something to do with the construction of the British state, the way budgets have been handled and how taxation, public expenditure and regional development—or its absence—have been dealt with over the past 20 years. The problem can be traced back to Wales's ridiculous over-dependence on heavy industry, the failure to introduce a more varied industrial base and other matters.

The situation is recoverable within the European framework that we would like—which is not necessarily the framework that we shall have—if Wales has appropriate policies instead of the inappropriate policies that we have constantly had to suffer from. Wales can hope to achieve a GDP level comparable to the best in Europe. I hope that the Minister also has such faith in the future of Wales.

Mr. Llew Smith (Blaenau Gwent): I accept that in a separatist Wales, the budget would not be determined by the British state. However, the hon. Gentleman's vision involves a federal Europe. Does he accept that in such circumstances, the budget would be determined by the unelected and unaccountable European central bank, which would determine the budget level and interest levels? It would be illegal under article 107—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We must not get into a debate on European banking. We should be considering the Welsh financial matters that are before us.

Mr. Dafis: I shall address those matters directly, but of course they have to be considered in the light of the framework mentioned by the hon. Member for Blaenau Gwent (Mr. Smith). Power is shifting from London to Europe, so the big question relates to democratic accountability, and what should determine interest rates and European monetary policy. Power is also shifting to Wales, Scotland and Northern Ireland, so the really big constitutional question relates to the future of this place.

[Mr. Dafis]

What significant powers will remain here? We need to get our heads round those issues and build a Welsh future on that basis.

Mr. Deputy Speaker: Order. Perhaps the hon. Gentleman will find another opportunity to discuss those matters, but I must ask him to confine his remarks to local government finance in Wales.

Mr. Dafis: I am sure that you will sympathise with me, Mr. Deputy Speaker, as I was diverted from my speech by interventions.

There is a great deal of spin about what the Government are saying about local government finance. Of course, the present Government are identified with spin, if nothing else. I am sure that the hon. Member for Blaenau Gwent will agree with me about the enormous disparity between the glowing images conveyed by Government statements and the experience of ordinary people in Wales, whether they are employers, employees unemployed or in education.

Yesterday, for the umpteenth time, the Prime Minister said that he was determined not to return to Tory boom and bust. We have heard that repeated so many times that it is becoming tedious. However, much of Wales is experiencing something akin to economic collapse. Although we do not want to go back to boom and bust, much of the Welsh economy is bust. The Government are not entirely to blame, but their general approach to monetary and fiscal policy and to public expenditure is an exacerbating factor. The disparity between the Government's rhetoric and what is actually happening arouses in my constituency a mixture of wry amusement and anger. People do not understand how the Government's words relate to reality. The same applies to local government finance.

The Government made much of their intention to remove crude and universal capping, which is a good thing. They are giving local authorities greater autonomy while retaining the powerful sanction of cutting their contribution to council tax benefit if councils exceed their spending limits. However, there is another more subtle agenda which was mentioned by the hon. Member for Montgomeryshire.

The Government are proud of having kept their pledges not to raise income tax and not to exceed Tory spending limits in their first two years in office. However, they made those promises for the crudest political reasons. Just before the election, I was asked whether I thought that the Prime Minister would keep his election promises. I said that I certainly hoped not. It would have been good news had the right hon. Gentleman decided to break those promises, but he has kept them, certainly in relation to income tax and spending limits. In order to remain within the spending limits, the Government have had to keep a lid on public expenditure, including the Government's contribution to local authorities.

As a result, local authorities will need to increase council tax in order to maintain services. The new Labour Government are allowing them that freedom, so things are changing. The net result of that approach is that wealth is redistributed—regionally and individually—in favour of the better-off and to the disadvantage of the worse-off. That is clear from statistics. The pattern has persisted for 20 years, and the present Government are allowing it to continue, except at the margins. Although the Government have altered things here and there, by and large they have pursued the same general agenda. So the present Government are not as bad as the Tories—perhaps that will be their epitaph. I am sorry to be unkind to hon. Members who sit on the same side of the House as I do, but I do not believe that that epitaph would be acceptable to those who expected great things from a change of Government at an historic time.

My own local authority, Ceredigion, is a case in point. The standard spending assessment for Ceredigion has been set at £70.2 million. That is an increase of 5.6 per cent. in real terms and there is a sense of relief about that. The council is permitted to spend up to £75.8 million without suffering clawback of council tax benefit subsidy. Without any kind of wish list, but simply to maintain services and meet new commitments, Ceredigion would certainly need to spend up to that limit, but that would involve a 12 per cent. council tax increase in an area of chronically low incomes where the economy is crashing, in part due to the high value of the pound which is a significant factor in the economy of west Wales.

The Government have allocated extra resources which have been hypothecated for education. Substantially increased resources are being provided on a cumulative basis over the next few years and that is most welcome. This year, however, Ceredigion has estimated that it will require an increase of 7.5 per cent. from the Welsh Office in order to fund the pay awards to teachers and head teachers, so a large proportion of the extra money provided for education this year will go to meet the pay awards. In his letter circulated today, the Under-Secretary of State for Wales, the hon. Member for Neath (Mr. Hain), acknowledged that five sevenths of it would go on that.

Mr. Jon Owen Jones: Can the hon. Gentleman explain why a pay rise of around 4 per cent. to teachers needs an increase in local authority funding of more than 7 per cent?

Mr. Dafis: I shall write to the Minister about that. I have received that reply from Ministers before.

Mr. Livsey: The hon. Gentleman has raised a serious point. Many small schools in rural areas have been closed down and the heads of other small schools will receive a higher than average pay increase. I am not certain whether the Welsh Office took that into consideration in calculating the settlement. Although we welcome the increased expenditure on education, the settlement does not cover the eventuality of higher increases in teachers' pay than were originally anticipated.

Mr. Dafis: The hon. Gentleman has elaborated my point. The fact of the matter is that five sevenths of the extra money being allocated to schools this year will fund pay awards, so although it is acceptable and useful, it not such a big deal.

As a result, counties such as Ceredigion find themselves between a rock and a hard place. They are acutely aware of the need to maintain services which the public rightly demand, but they are also concerned not to increase the burden on council tax payers, especially those on low pay who are just eligible to pay council tax. For such people, the council tax represents a serious burden.

Ceredigion county council is controlled by a group of independent councillors, supported by the Liberal Democrats—although it is almost a contradiction in terms that a group of independent councillors should behave as a political party. The council has decided to limit the council tax increase to 6 per cent. The hon. Member for Bridgend (Mr. Griffiths) talked about increases that are not excessive, but 6 per cent. is well over double inflation, and people who are already paying high council taxes might call it excessive, although I would say that it is an extremely cautious increase.

Even with such a cautious increase, the band D payment will go up by £47 to £669 a year. That is a lot for people on low incomes to pay. Even after raiding the reserves, the social services budget will be cut by £200,000, which will exacerbate the bed blocking described by the hon. Member for Montgomeryshire. That is bad economics, and means that people with acute medical need cannot get into hospital and that the state has to pay more for the care of the people blocking the beds than if they were in nursing homes or being cared for at home.

Social services, which is protected by top-slicing and special funds, is having a cut of £200,000, so there are concerns about departments that are not so protected. The Plaid Cymru group on Ceredigion county council opposes the strategy of limiting the council tax increase to 6 per cent., and I strongly support it in that. Maintaining services and investment should come first. I recognise the council's dilemma, which is of central Government's making. The Government should do more to help.

There are concerns about the totally inadequate funding for the police in the coming year. Reference has already been made to the unacceptable cuts in the Dyfed-Powys police authority allocation from the Home Office. The Secretary of State said—which is also unacceptable—that local government now had to try to fill a little of the gap, to the tune of £1.8 million for the whole of Wales since the announcement in December. That means a further cut in damping in Ceredigion from £168,000 to £53,000, adding insult to injury.

A review of the funding formula is under way. It is essential that the problems of regions such as Ceredigion, with special service needs and sparse populations, should be recognised, if the gross unfairness is to be rectified. Even that would happen within the straitjacket of a Government apparently hellbent on pursuing their right-wing agenda on taxation, interest rates and public expenditure: an agenda that is profoundly damaging [illegible] Wales.

To prove my analysis wrong, the Government could take one simple step on objective 1. Wales's pro rata allocation should be significantly higher than the £200 million a year—equivalent to 2p on the standard rate of taxation in Wales—that is currently claimed, but the Government are not prepared to access what is available. They have an incentive not to do that. We are all aware of the problem of matching funds, and local government's position in relation to the capital budget makes that a most serious matter.

The hon. Member for East Carmarthen and Dinefwr (Mr. Williams) suggested that we should cope with the problem by raising council tax. If it were to come to that, and we had to increase council tax to get matching funding to enable us to spend £200 million of European money to revitalise the Welsh economy, it would be very important for everybody to understand that we had to do that because the UK Government failed to accept their core responsibility to redistribute resources within the state to allow regional development to occur.

I invite the Government to do what they should and ensure that we get central Government resources to match the European money. If we get that, it will be good news, and it will be after the election, so I will take my cap off to them. They must commit themselves to that if they are to retain any credibility.

3.15 pm

Ms Jackie Lawrence (Preseli Pembrokeshire): I was somewhat surprised to hear the hon. Member for Ceredigion (Mr. Dafis) saying that it would be good news if the Government did not keep their pledges to the British people. There is a tremendous amount of disillusion with politics in my constituency because people have been led to believe over recent years that Governments do not keep their pledges, and that is precisely why it is absolutely vital that the Government do so. This is a debate of only two hours, and the hon. Gentleman took 25 minutes of that. Perhaps because he is the only Plaid Cymru Member present, he has taken all his party's share. In a true spirit of egalitarianism, I shall be as quick as I can.

Because this is the last time that it will be the task of the House to consider this settlement, I am especially pleased that it is so generous. I was stunned to hear the few and limited comments of the hon. Member for Woodspring (Dr. Fox) on behalf of the Conservative party. Those comments demonstrate to those of us with Welsh constituencies how out of touch that party continues to be.

It was suggested that gross domestic product per head in Wales was 83 per cent. of the national average, but, in my constituency, the figure is about 72 per cent. My area is desperate for investment, which it was starved of during the 18 Tory years.

The settlement contrasts with the actions of the former Secretary of State, the right hon. Member for Wokingham (Mr. Redwood), who, at a conservative estimate, returned £100 million that could have been invested in Wales. People in my constituency who were desperate for dualling of the A40 and improved infrastructure remember that well, but the hon. Member for Woodspring seems to have some selective amnesia.

In my past life as leader of the Labour group on Pembrokeshire county council and a member of the former Dyfed county council, I saw at first hand the damage done by the previous Government as they squeezed local government funding in pursuance of their market forces dogma. They could not control local government in Wales, even with well-known Tories standing as so-called independent councillors to try to fool the public. Their ploy was to squeeze local government funding to force cuts in services, coupled with compulsory competitive tendering to privatise the remaining services.

That cynical ploy took no account of the effect on the lives of ordinary people who depended on those services for a decent quality of life. The new settlement is further progress in correcting the damage caused by those years of Tory dogma.

Our schools were starved of cash for two decades. I well recall when the parent-teacher association of the school attended by my two youngest children had to raise

[Ms Jackie Lawrence]

funds to purchase books for an essential maths scheme so that the children would not be disadvantaged. Capital finance for schools and local education authorities was practically non-existent.

In one school in Neyland in my constituency, a classroom ceiling fell down. Fortunately, no one was hurt. Leaking roofs, crumbling plaster and flaking paintwork were a common sight in Pembrokeshire schools in the Tory years. That shows the human consequences of Tory neglect of our education service in pursuance of dogma.

We should not be surprised. Unlike Labour Members—one must say at this point that that includes my right hon. Friend the Prime Minister—Tory Members do not have a history of using state education for their children. The previous Government shed services through squeezing finances, forcing councils to privatise remaining services so that local authorities would exist simply to award contracts, and little else.

Government policy means nothing if it does not improve people's day-to-day lives. The Government's belief in supporting local government in providing services in partnership with communities, together with the settlement, will improve the lives of people in Wales; but I want to reinforce concerns about the capital allocation for 1999–2000 and the need to give ample notice of the results of bids for housing grants. That is an issue of concern in my area.

The extra funding for education provided by the Government has already filtered down to schools in my constituency. For the first time in decades, there are plans to build new schools and to repair old ones. I welcome the £70 million for education and the fact that it is to be monitored to ensure that local authorities do indeed spend it on education. It is a scandal that, in this day and age, there are still schools in my constituency that have outside toilets with no heating or lighting in winter. The overall settlement for Pembrokeshire—which, at 5.3 per cent., is twice the rate of inflation and the best that it has ever received—will enable the county council to tackle the backlog and to build for the future if there is the political will in the authority to do so.

I welcome the announcement by the Secretary of State that he will not set capping criteria for 1999–2000. The crude across-the-board mechanism of capping was another central Government sledgehammer employed indiscriminately by the previous Government. Local authorities should be allowed to determine the needs of their particular area in partnership and consultation with local communities in a responsible way, and without undue diktat from central Government.

If there are increases where local councils behave irresponsibly, powers can be used selectively to protect the public from the undue burden of cost resulting from such irresponsible behaviour. We must not forget that it was the previous Government who changed the system by which local government funding was apportioned between Government and the council tax payer. The Conservatives' system, with its increased gearing effect on council tax payers, is driving up council tax bills throughout the United Kingdom even now.

The settlement is good news for Wales. It means record increases in spending on essential services, such as education and social services. I particularly welcome the announcement of £5 million in the settlement to modernise and improve children's services, as proposed in the Government's response to the report by Sir William Utting. Our children are our future, and we must ensure that their needs are met, whatever their circumstances. Before becoming a councillor and then a Member of Parliament, I fostered children for Dyfed county council. Undertaking that work opened my eyes to the need to support children who do not have the security that many take for granted.

On a different note—and as a former member of Dyfed-Powys police authority—I was initially concerned by the level of the settlement for this efficient and forward-looking force. In last week's debate on the police grant, I pursued the issue of sparsity—which I am aware my right hon. Friend the Secretary of State initiated during his time at the Home Office. Rural police forces such as Dyfed-Powys await the publication of research with interest, as they believe that it will support their claims that there are significant extra costs in policing rural areas. However, I am pleased to note that having heard the general concerns of police forces in Wales, my right hon. Friend has decided to alter the capital charges element of the formula for the police, which will mean an increase of £1.8 million for police authorities in Wales.

The settlement provides a solid foundation on which the new Assembly for Wales can build. The new National Assembly, in partnership with local government in Wales, will in future take over responsibility for the funding of everyday services for the people of Wales. This is a new opportunity for consensus politics in Wales, rather than the confrontational style that we see so often here in Westminster. It is a new opportunity for a shared vision of the way forward for Wales by the people of Wales. It will prevent a repeat of the incident under the previous Government, when £100 million was returned to the Treasury to support one individual's right-wing credentials—hardly an action in the best interests of the people of Wales.

3.24 pm

Ms Julie Morgan (Cardiff, North): Time is short, so I will quickly cover some aspects of the settlement for my authority, Cardiff. I will then speak specifically about the grant for traveller education in Wales. The settlement is welcomed in Cardiff, where we see it as a real sign of the advent of a Labour Government. It will make a significant difference. The growth in population in the Cardiff area has increased the SSA for Cardiff and the council tax will now be one of the lowest in Wales. During the final two years that the Tories were in control, the council tax went up by 25 per cent in the first year and 15 per cent in the second. Last year, it went up by 12 per cent. and this year it will be 3.6 per cent.

The settlement shows that the Labour Government are committed to working in partnership with local authorities and are committed to local authorities in a way that we have not seen for the past 18 years. The extra money for education is strongly welcomed and is filtering down to schools. However, we have a huge task in the Cardiff area, because the old South Glamorgan authority—made up of Cardiff and the vale—was the lowest spender on education in Wales. The local authority is planning to try to bring up its spending gradually to the level of authorities such as Swansea, Newport and others. This year, the authority is putting in an extra £500,000 and is trying to reach the general spending level.

The local authority's tremendous drive to increase the number of nursery places and nursery units is a result of our pledge to provide a nursery place for all four-year-olds. That is causing a problem in my area of Cardiff, North. I strongly welcome the commitment to nursery education, and I fought hard for it when I was a local councillor. However, due to the lack of education provision in Cardiff, North, a whole network of local voluntary playgroups and nurseries were started by parents—usually the mothers.

It has been a great struggle to keep the playgroups going, and they often represent the best in child care—parental involvement and support for children with special needs. The Welsh language playgroups are involved. However, because of our commitment to state education, some four-year-olds are taking up places in the local authority nurseries and are leaving those groups floundering. Last year, the Welsh Office gave £60,000 to the playgroups to see them through this period of transition—because it is only a period of transition.

We are committed to working in partnership, and we want to make sure that LEA nurseries and the nurseries in the voluntary sector—which, on the whole, are not run for profit—can work together in a true partnership to make sure that every child has a place in good-quality child care. That is an issue in my constituency, and throughout Wales. We must save the pre-school playgroup movement because those playgroups provide some of the best child care.

I am concerned at the slight reduction in the three-year capital allocation, as it will cause problems in relation to unfit housing. I am worried also at the length of time that residents in my area—and in others, I am sure—have to wait for disabled facilities grants. It is unacceptable that disabled people or the elderly must struggle when we know that, sometimes, a small amount of money can make their lives easier. Cardiff is bidding for an extra £15 million to tackle unfit houses and disabled facilities grants, and I hope that that bid is successful. That is why we are here—those are the issues that the Labour Government must tackle.

I welcome the fact that the Welsh Office has increased the grant for the traveller education service in Wales from £150,000 to £300,000 for next year. That is a tremendous step forward. However, I wish to draw the attention of Ministers to certain issues regarding traveller education. A Welsh Office-funded report by Laura Morgan of Save the Children Fund in December 1998 showed that the number of traveller children in Wales was twice the number estimated by the gipsy count which used to be carried out by the Department of the Environment. There are about 2,000 traveller children in Wales. Although the grant has been doubled, we are really keeping the status quo because the original grant was based on a lower number of children.

The grant is for only one year, and I am sure that that is because the National Assembly will take over funding for traveller education. However, a one-year grant is not enough: it is causing havoc in planning and in recruiting pupils and teachers. I hope that the Welsh Office will pass on the message to the National Assembly that the project needs to be funded for another two years.

The development of traveller education in Wales is patchy. Cardiff has the only established and comprehensive traveller education service, and has more traveller children—270—in mainstream schools than anywhere else in Wales, although hardly any of them are in secondary school. The problem is huge and more money and resources are needed to tackle it.

Traveller children are a vulnerable and marginal group. There are few old people in the traveller population, because most travellers die relatively young. They suffer from discrimination, and the adult literacy rate is only 35 per cent. Extra resources are needed to help the children of that socially excluded group. The Government have made a commitment to, and a priority of, children who are socially excluded, and the problem of traveller children must be tackled head on.

I very much welcome the funding increase announced today, and I hope that the National Assembly will produce a more cohesive society in Wales, in which travellers and their children will be allowed to play a full role.

3.31 pm

Mr. Llew Smith (Blaenau Gwent): At Prime Minister's Question Time yesterday, my right hon. Friend the Prime Minister responded to a question by saying that he was in favour not only of wealth creation but of the redistribution of wealth. That statement had the support of all Labour Members and it is something on which we, as a trade union and labour movement, can build on. Redistribution can happen in various ways, one of which is by means of settlements such as we are debating today. When we judge the settlement, we must take into account how much redistribution it has brought about between individuals and communities throughout Wales.

By any measure, Blaenau Gwent is one of the poorest communities in Wales. We have some of the worst health problems in the United Kingdom, and the area is pretty well at the top of the list for heart disease, respiratory diseases and cancers. With some colleagues, I did some research into the number of sick and disabled in the area, and we published a book some years back. We found that 43 per cent. of families had one member who suffered from long-term illness or was disabled.

Our income levels are among the lowest in the United Kingdom. Much of our housing stock is old and badly in need of repair. Blaenau Gwent probably has one of the lowest levels of car ownership in the south Wales valleys. Unfortunately, the examples of deprivation and poverty seem endless.

The local authority has to deal with those problems, but does the settlement begin to respond to them? Will it bring about the necessary redistribution of wealth? Does it stem from a socialist philosophy that believes that investment should go where the need is greatest?

The uplift in committed expenditure is 5.9 per cent. That is to be welcomed and it is far in excess of the level of increases experienced under the previous Conservative Administration. However, excluding the education component, the figure is 4.6 per cent. Initially, especially given present levels of inflation, that appears very generous, but I want to take this opportunity to present the local authority's views.

It has stressed to me that the settlement is subject to additional commitments that render it less favourable. Furthermore, local authorities across the country are suffering from the increase in landfill tax from £7 to £10 per tonne. Further cost pressures arise from the need

[Mr. Llew Smith]

to restore past deficits on superannuation funds, to meet new duties imposed on environmental health departments in respect of the inspection of contaminated land and new regulations on the inspection of animal food stuffs.

Those last duties are referred to in the statement and it is made clear that resources are provided, in the overall total, to enable authorities to carry out the new duties. Further cost pressures arise from the implementation of Government proposals for best value and the implementation of the single-status agreement achieved as part of a previous settlement for local authority employees. Many local authorities also face increased demands from precepting bodies for sums that exceed the additional resources provided by the settlement.

We are running out of time, but I want to raise a couple of matters with the Minister, and I hope that he will be able to respond. First, the local authority standard spending assessment in Blaenau Gwent is to rise by 3.4 per cent. Given that the area is one of the poorest in Wales, I hope that my hon. Friend the Minister will explain why some other local authorities are to receive rises of as much as 6.2 per cent., while the average throughout Wales is 5.2 per cent.

Secondly, will my hon. Friend explain why some local authorities, including Blaenau Gwent, will have to put up council tax by between 12 and 14 per cent., while others will raise their council tax by only 3 to 8 per cent? I am sure that my hon. Friend will want to respond to those questions.

3.37 pm

Mr. Martin Caton (Gower): I shall be brief, but I guess that it is almost impossible, when debating the local government settlement, not to become very parochial. That has been evident this afternoon.

I have talked to councillors, trade unionists and officers in my local council, and I have to say that the phrases "best settlement ever" or "more than we could have hoped for" have not crossed their lips. I suppose that that is not surprising, but the words "realistic" and "responsible" have been heard, and they are appropriate. The settlement is not hugely generous, but it is realistic and responsible, and it allows our local authorities to get on with delivering public services in a way that has not been possible for many a year.

Yet, in talking to people, I encountered some disappointment and anxiety for the future. As my hon. Friend the Member for Blaenau Gwent (Mr. Smith) mentioned, there is concern in some of our communities about the way in which the standard spending assessment is arrived at. I applaud the partnership approach between the Welsh Local Government Association and the Welsh Office that produced the settlement, but the levels of poverty are still being underestimated. Not enough weight is being given to tackling the problem, and that is why the poorer communities in Swansea, Blaenau Gwent, Rhondda Cynon Taf and Merthyr Tydfil still do not get the deal that they deserve.

The other main issue that people raised with me is their concern about social services. Commendably, the Government have given priority to education and to health, which were mismanaged and underfunded in the period of Conservative Government. However, social services are tied closely to decent service provision in education and health, and they are very stretched at present. They need to be given the same sort of priority very soon, if we are to achieve a comprehensive, joined-up approach to the provision of decent public services.

I know that I will not be allowed to speak any longer, so I shall sit down.

3.39 pm

Mr. Nigel Evans (Ribble Valley): It is now my opportunity to say a few words about joined-up thinking. I speak as one born in Swansea, who lived there for 33 years. [HON. MEMBERS: "Yes, yes."] I have to get the background in; my family still live there, and the family business is still there. I was a West Glamorgan county councillor for six years, too, so I speak with authority.

When my hon. Friend the Member for New Forest, West (Mr. Swayne) asked a legitimate question of the Secretary of State, I was disappointed to see him fobbed off simply because he has no constituency interest. That may be so, but my hon. Friend has a countrywide interest.

Mr. Swayne: The fact that I was treated rather discourteously is of no consequence. Although the Secretary of State might have used marginally more charm had he been asked the same question from his own Benches, the point is that he would have given the same answer. He will not tell us what criteria he will use in making any decision on capping.

Mr. Evans: My hon. Friend is wounded, and it takes a lot to wound him. His point is serious, and I hope that it will be answered in the wind-up.

Beyond the opening speeches from both sides, eight Back-Bench Members have spoken in an interesting debate. We have heard mainly new Labour speeches from the Government side—and, indeed, a new Labour speech from the Liberal Democrats, too. There will be another debate on 25 February—traditionally known as the St. David's day debate—when many hon. Members who might have wanted to speak today may be able to do so. I hope that it will not be the last St. David's day debate in the House of Commons, as those debates allow us to raise matters of concern. This year's debate will follow the result of the Labour leadership debate, and we shall be able to speak with authority on the impact that that result will have on our deliberations. Will it be a victory for the people of Wales, or for the fudged system introduced to help the Secretary of State to become leader of the Labour party in Wales? We need not wait long now to know.

It is a shame that the Liberal Democrats have used the debate to have a go at Plaid Cymru. This dreadful political spat between the two minor parties in Wales is shameful. [HON. MEMBERS: "What about the Tories?"] If anyone is suggesting that the Conservatives are in oblivion in Wales, I should say that the Liberal Democrats should recognise oblivion. Let me remind the hon. Member for Montgomeryshire (Mr. Öpik) that 100,000 more people voted Conservative in Wales than voted Liberal Democrat. We look forward to the local elections.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. May I remind the hon. Gentleman that we are discussing the finance order? He should return to that.

Mr. Evans: I am sorry, Mr. Deputy Speaker, but I felt under an onus to respond to the dreadful attacks made on the Conservatives during our two-hour debate.

Speaker after speaker has told us what a wonderful settlement the settlement is. The real judges of that will be the people of Wales, either at the local elections in May or at the elections to the Welsh Assembly. The people will know how good the settlement is because of the level of service that they will receive and because of the council tax that they will pay.

Expectations of the Government have risen because they told the people of Wales that things can only get better. Of course, the people were not told that things can only get dearer. As the council tax letters drop through their letter boxes, they will see that that is the case. There are expectations of smaller class sizes and investments in partnership with local authorities, and there is a price to be paid for those things.

In several areas, there will be increased demands on the services that people receive in Wales. For example, the millennium bug problem has required investment, but no extra resources were made available, so local authorities, and the police, have had to invest extra resources there. The minimum wage and other local pay settlements also require to be funded. We have heard of good pay settlements, but there is a price to be paid, and some of the charge will be passed on to the local taxpayer.

The Government's pension fund grab, just after they were elected, has left local authorities needing to find extra resources to ensure that pension fund money is made up. Local authorities will have to pass those charges on. Equipment and new technology also require funds, and the police have made representations in the belief that the police settlement was not sufficient to meet pay demands and the costs of new technology and other equipment needed to provide a service.

I shall congratulate the Government on one matter, because it is right to recognise good news where it exists. It is the extra £5 million being made available for local transport—£3 million for rural areas, and £2 million for urban areas, although some of the latter may be diverted to rural areas too. Vast tracts of Wales are rural, and people live in remote communities in which, if there is no bus service and they cannot drive, there is no hope of getting around. I hope that the money will be targeted as effectively and imaginatively as possible to help aging populations and those who live in remote areas to live a fuller life in the parts of Wales where they want to live. I congratulate the Government on making those extra resources available.

There is a payback, however. In the past two Budgets, petrol taxes have increased, so the money has come from motorists, many of whom live in rural areas. When will the Government learn that the use of a car is not a luxury for people in rural areas, but a necessity? Those people are clobbered time and time again.

Extra demands are being placed on local authorities, but a lot of money is being ring-fenced for education. We accept that the Government believe the money ought to go to education, but if their other pledges are to be fulfilled, and if expectations in local government are to be met, the money must come either from efficiency savings or from services being cut. There simply will not be sufficient funds from the resources made available.

My hon. Friend the Member for Woodspring (Dr. Fox) has mentioned council tax benefit. We simply do not know which areas will be hardest hit when money is clawed back. Currently, the benefit is dealt with solely by central Government, but when local authorities have to pick up the bills, the poorest sectors and the nearly poor will be clobbered. It is they who will have to pay for the settlement.

My hon. Friend the Member for Woodspring also mentioned capping. Everyone thinks it wonderful that there is now no official capping. When I was in Wales, I thought capping an excellent idea as it brought a focus and rigidity to the system that protected those people who were clobbered time and time again. The new capping arrangement means that local authorities will not know when the capping will come about. Crude and universal capping is to go, we are told, but that will leave crude and unknown capping, entirely at the disposal of the Secretary of State.

Mr. Michael: Wrong.

Mr. Evans: The right hon. Gentleman may say I am wrong; we shall see if that is so when the Under-Secretary of State for Wales winds up. I only hope that his performance today is better than the one he gave earlier this week on the private notice question. [HON. MEMBERS: "Shame."] His statement was shameful. I hope that today he will answer some of the questions put, even though he was not able to do so then.

Devolution will be upon us after May, and it will have an enormous impact. Today's revenue support grant settlement debate will be the last that we shall have in the House of Commons. Will the Minister say something about the Barnett formula, and about the confidence of local authorities in both the three-year settlements and their prospects for the future?

Will the Minister take the opportunity in his winding-up speech to comment on the debts of Welsh local authorities? How much money remains outstanding? To what extent are council taxes in arrears? What are the debt charges? I hope that the Minister will explain how local authorities will be able to deliver services in the light of the settlement that he has announced today.

3.50 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): This has been an interesting and wide-ranging debate on the local government finance report for Wales. Next year, the decisions that we have been discussing will fall to the National Assembly for Wales. Today, hon. Members have raised various points about the funding of local services for their constituents.

The local government settlement for 1999–2000 builds upon the comprehensive spending review and, for the second year, we have addressed the funding deficit that we inherited from the previous Administration. There are undoubtedly still spending pressures on local authorities, but in the spirit of the partnership that we have fostered in Wales, the most acute pressures have been alleviated. In particular, the additional £70.2 million for education

[Mr. Jon Owen Jones]

will enable local authorities to meet the teachers' pay settlement and have money left to spend on education. I am sure that when the hon. Member for Ceredigion (Mr. Dafis) does his sums, he will find that that is the case. We estimate that the teachers' pay settlement for 1999–2000 and the hang-over from the last pay settlement will cost about £50 million. Some £20 million is available for local authorities to target at local education priorities.

Several hon. Members—my hon. Friends the Members for Bridgend (Mr. Griffiths), for Vale of Clwyd (Mr. Ruane), for Cardiff, North (Ms Morgan) and for Preseli Pembrokeshire (Ms Lawrence)—related their experiences of looking after children or of teaching. They expressed their strong support for the Government's policies, which will achieve a reduction in class sizes and an increase in nursery education.

My hon. Friend the Member for Cardiff, North expressed her anxiety that we should safeguard playgroups in the voluntary sector. I endorse her views, and I know that my hon. Friend the Member for Neath (Mr. Hain) will take them into account. My hon. Friend the Member for Bridgend spoke about the need to secure social services—particularly when dealing with children in care. That is very much a Government priority. By allocating money to our sure start programme, we hope to be able to tackle some of the problems before they become insurmountable. I know that my hon. Friend will support the Government's actions in that area.

Sure start is also a way of trying to co-ordinate Government policy to bring about joined-up central and local government. The hon. Member for Montgomeryshire (Mr. Öpik) talked about trying to integrate services. He referred to integrating health and social services in order to achieve better value for money and increased service provision from the same funding. I hope that the hon. Gentleman will support the Government's efforts in trying to pool budgets as a way of utilising the same amount of money to best effect within different departments and areas of local government.

The settlement for 1999–2000 is a good settlement for local government in Wales.

Mr. Barry Jones (Alyn and Deeside): Will the Minister give way?

Mr. Jones: Yes, but only this once.

Mr. Jones: I am very grateful. The documents refer to job creation and the moneys for that. Since April, my constituency has lost 1,250 jobs and we are very concerned that we may lose assisted area status. How might the Welsh Office help my constituency in north-east Wales to retain assisted area status?

Mr. Jones: My hon. Friend is always assiduous in promoting his constituency—we could all learn from him. No decisions have been taken about which areas will qualify for deregulation on the assisted area map. Flintshire will be considered for inclusion, along with the rest of the United Kingdom.

We have delivered on our commitment to minimise ear-marked resources. We agree that all local councils are best placed to identify local funding priorities. The settlement for 1999–2000 also includes indicative figures for the following two years. This forward-looking approach will allow local government to plan local priorities over a three-year horizon. In each of the three years, we will deliver an increase of more than 2 per cent. in real terms, which will enable local government to respond better to local service pressures.

As part of the consultation on the provisional settlement, the police authorities and their representatives have asked my right hon. Friend to look again at the way that capital charges have been calculated. He has responded to their concerns, and this has resulted in an increase of £1.8 million over the provisional figures announced in December. We are prepared to listen and are committed to developing meaningful partnerships. The National Assembly for Wales will be able to begin its work on the basis of sound partnership.

I know that not all local authorities are happy with the council tax reduction, or damping, scheme. We agreed the parameters of the scheme for 1999–2000 with the Welsh Consultative Council on Local Government Finance. It decided on a scheme that it considered best met the needs of local government in Wales, knowing that there would be winners and losers. The damping scheme is an excellent example of how well local government in Wales can work together, with some authorities contributing to the damping top slice so that poor authorities can receive the benefits.

As my right hon. Friend said at the beginning of the debate, the standard spending assessment formula is not perfect. The independent study commissioned jointly by the Welsh Office and Welsh local government associations will be available later this month. My hon. Friends the Members for Blaenau Gwent (Mr. Smith) and for Gower (Mr. Caton) have asked us to address their concerns about poorer authorities apparently not receiving as many resources as they should. We shall re-examine the funding formula, but there are reasons why local authorities receive different sums—not least, demographic changes. Population movements in south Wales in particular have led to some local authorities receiving an increased allocation as a result of population growth.

I acknowledge that earmarking £70.2 million of the increase for education and £5 million for Utting means that there will be pressures on other services. However, if councils increase their education budgets by £70.2 million and their other budgets by the balance of the increase in net total standard spending, spending will increase by 4.9 per cent. for social services—because of the £5 million support and the introduction of a Quality Protects Wales initiative—and by 4 per cent. for other services. That takes no account of local decisions on council tax and resources released by efficiency savings. We expect that, when best value comes in, local authorities will be able to deliver greater efficiency savings, and thus release greater resources.

This settlement represents a good deal for Wales and provides a sound foundation on which the National Assembly can build relations with local government. We have a challenging agenda of modernisation ahead, but with the support of our partners in local government and others, we believe that we can meet that challenge. Welsh local government will receive a record funding increase of £878 million over the next three years. That is nearly £300 per person in Wales. In the circumstances, it is a very good settlement for the people of Wales, and I commend the reports to the House.

Question put and agreed to.

Resolved,

That the Local Government Finance Report (Wales) 1999–2000 (HC 203), which was laid before this House on 3rd February, be approved.

Local Government Finance (Amendment) Report (Wales) 1998–1999

That the Local Government Finance (Amendment) Report (Wales) 1998–1999 (HC 204), which was laid before this House on 3rd February, be approved.—*[Mr. Hanson]*

Special Grant Report (Wales) 1999

That the Special Grant Report (Wales) 1999 (HC 177), which was laid before this House on 28th January, be approved.—*[Mr. Hanson.]*

Local Government Finance (Scotland)

4 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): I beg to move,

That the Local Government Finance (Scotland) Order 1999, dated 28th January, a copy of which was laid before this House on 1st February, be approved.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following motion:

That the draft Housing Support Grant (Scotland) Order 1999, which was laid before this House on 28th January, be approved.

Mr. Macdonald: The orders set the framework for local authority funding and housing support for the year ahead. In future, they will be the business of the Scottish Parliament. Before I introduce them, I have a few words on the general background.

The local government order delivers the most generous financial settlement for local authorities for seven years. It underlines our commitment in the comprehensive spending review to invest in quality local services. Councils will be able to increase spending by almost 5 per cent. next year. Much of that increase will be targeted at the Government's priorities, which are shared with Scottish local government, of education, social work and the police and fire services. On top of that, the three-year spending plans that we announced last July after the CSR provide further real-terms increases over the following two years. The firm three-year plans offer councils long-term stability and should help them to plan their service delivery over a sensible period. In turn, that should deliver better value for money.

Next year alone, council spending is set to increase by more than £300 million. By the third year of the CSR, Scottish local authorities will have an extra £840 million per year to spend on front-line services. Those are significant real-terms increases, and as local authorities deliver the efficiency gains to which they and we are fully committed through best value, their real spending power will be even greater.

Overall, the settlement represents a major boost to local government spending power, providing councils with the means to make real progress in improving the quality of front-line services. This is a fresh start for the local government and reverses several years of tight spending controls made necessary by the economic mismanagement of the previous Government.

Councils must be rigorous in their continuing efforts to improve efficiency. Keeping council tax rises down is a key objective. Council tax payers expect and deserve no less. We have, as promised, scrapped crude and universal capping, but it remains important that councils budget prudently. We have therefore introduced a new system of expenditure guidelines to inform council budgeting rounds.

Mr. Donald Gorrie (Edinburgh, West): Can the Minister clarify what the difference, if any, is between the guidelines and the crude universal capping that he is so much against?

Mr. Macdonald: Yes. The expenditure guidelines will let councils know the level of spending that we think

[Mr. Macdonald]

is prudent, but they are indicative rather than firm caps. It will be up to councils to decide at what level to set their council tax. If councils heed the guidelines, council tax rises should average no more than 5 per cent. next year. We have provided local authorities with significant increases in funding, and we do not expect councils to have to budget above guideline. However, if we are faced with excessive budget increases, we have the existing capping powers in reserve.

Mr. Alex Salmond (Banff and Buchan): The Minister argues in principle against the rigid capping of previous years, in which I support him. The Scottish Office—in future, the Scottish Parliament—tightly controls the revenue flow to local authorities: 90 per cent. or more of the money available to local authorities will come from central Government, whether through the Scottish Office or the Scottish Parliament. In principle, what is the need to have further guidelines, even indicative ones? If the revenue is being controlled, cannot local authorities at least be trusted to distribute their expenditure?

Mr. Macdonald: The hon. Gentleman knows that we must also have regard to the interests of council tax payers. This is a significant step forward to providing data flexibility and discretion for local authorities, but it is prudent to keep the existing capping powers in reserve. I hope and trust that there will be no occasion to use them.

It is not only council tax payers who are hit if council tax rises are excessive. Large hikes also affect national taxpayers, and the assigned budget through increased council tax benefit subsidy payments. The White Paper, "Scotland's Parliament" signalled arrangements to ensure that any resultant extra cost would have to be found by the Scottish Parliament. We have therefore put in place subsidy limitation arrangements to ensure that councils themselves bear the responsibility for the benefit costs associated with high spending increases.

Sir Robert Smith (West Aberdeenshire and Kincardine): On the new method of controlling local government spending, is the guideline figure at or below the grant-aided expenditure figure for the councils?

Mr. Macdonald: The guideline figure is the GAE figure. If councils spend considerably above that, or increase council taxes considerably above the expected 5 per cent. on average, the reserve powers are available to deal with the situation. We hope that that will not happen. The signs so far for next year suggest that the reserve powers will not prove necessary, but they will remain in reserve.

Dr. Liam Fox (Woodspring): To help the debate, can the Minister say what he means by "considerably", and give councils in Scotland an idea of what that means in practice?

Mr. Macdonald: If the guideline, which at £6.5 billion for next year is pretty generous, or the expected average council tax increase of about 5 per cent. is breached, we would consider the situation in the individual local authority. We would examine why it had happened and assess each situation as it arose. That is the point of moving away from the crude and universal, automatic approach to one where we allow more discretion. That is sensible and right, but it is prudent to keep the other powers in reserve. It is a matter of assessing each local authority's situation individually.

Mr. Salmond: My understanding from the Convention of Scottish Local Authorities is that planned expenditure for Scottish local authorities collectively is some £300 million above the GAE assessment for next year. Given that situation, does the Minister intend to act? If not, or if he thinks that the expenditure planned by local authorities is unreasonable, what would he cut from the £300 million to bring the figures into line? The Minister for Home Affairs and Devolution shakes his head, but COSLA argues that planned expenditure is £300 million more than the GAE assessment. Either the planned expenditure or the assessment is wrong. It argues that the assessment is wrong.

Mr. Macdonald: Perhaps I inadvertently misled the hon. Gentleman. I said that it was about £6.5 billion next year; I think that the figure is actually £6.9 billion. That is the figure that we will take as a guideline. We will assess whether local authorities are spending way above that guideline figure.

Mr. Salmond: So that is another £400 million?

Mr. Macdonald: No. There is no sense of the sort of squeeze that the hon. Gentleman fears. We do not expect any local authority to exceed the guideline in the coming year, certainly not by any significant amount.

Mr. Tam Dalyell (Linlithgow): Will my hon. Friend comment on part of COSLA's case, that application of convergence criteria with the implicit aim, over time, of regarding each council's grant-aided expenditure as its spending guideline is strongly opposed? What is the Government's view?

Mr. Macdonald: There is nothing new in that. The notion that expenditure by councils should be more in line with the assessment of councils' needs is one that has been advanced for many years by different Governments. COSLA's case is nothing new—that has always been its argument. The importance of the new procedures and the new expenditure guidelines is that they represent a far less rigid approach to achieving convergence than the old crude and universal capping procedures, so there is now greater flexibility than there was previously.

Mr. Oliver Letwin (West Dorset): The Minister is being most generous in giving way, but will he finally clarify the position regarding the guidelines? He mentioned total guidelined expenditure of £6.9 billion, compared with grant-aided expenditure of £5.7 billion. From where did he get the extra £1.2 billion; that is, how did he calculate that the guidelines ought to give headroom of £1.2 billion over the grant-aided expenditure figure?

Mr. Macdonald: The guideline figure is £6.9 billion. Some local authorities spend in excess of the GAE figure: because council tax increases in past years have been larger than previous Governments thought that they should be, the amount of actual expenditure has been rising above the GAE figure. There is nothing new in that gap between actual expenditure and GAE, so there is nothing about which the hon. Gentleman should be surprised or puzzled.

Mr. Letwin: Does the Minister agree that, if councils raised their expenditure to the guideline level this year, that would involve, given his aggregate external financing, a rise in their local tax of about 5 per cent.?

Mr. Macdonald: Our assumption is that, if councils meet the expenditure guideline, the average council tax increase will be about 5 per cent., so the hon. Gentleman is absolutely correct.

On the detail of the orders, the Local Government Finance (Scotland) Order 1999 sets out the amounts of revenue support grant and non-domestic rate income that will be payable to each authority in 1999–2000. It also redetermines the amount of revenue support grant payable for 1998–99. The order is accompanied by a report that sets out in detail the background to the figures in the order. The detailed calculations set out therein have been subject to consultation with COSLA, with which we enjoy a constructive working relationship on issues of distribution. We have been faced with some difficult issues in that respect and the strength of our relationship with COSLA has helped in handling them.

Overall, the settlement is a generous one that will enable councils, for the first time in many years, to deliver real increases in the scope and level of their services. However, with that extra spending power comes a requirement for greater financial responsibility: we expect local authorities to seek best value in all their activities and to budget prudently.

The second document under consideration is the Housing Support Grant (Scotland) Order 1999. The Government attach considerable priority to housing and that has been reflected in the decisions we have taken since entering office. We added £66 million to the housing budget for the first two years, which was the first increase after years of cuts in housing expenditure under the previous Government, owing to the budgetary consequences of their management of the economy. Following the CSR, we announced an additional £300 million to be spent on housing and regeneration over the next three years. That means that, by the end of 2002, Scottish Office funding for housing will be about £640 million—an increase of nearly 40 per cent. on the level of funding we inherited from the previous Administration. Our key housing initiative—*[Interruption.]*

Mr. Letwin *rose—*

Mr. Deputy Speaker: Order. I am sorry to interrupt the Minister. If the hon. Member for West Dorset (Mr. Letwin) wants the Minister to give way, he should make his wishes known audibly, otherwise we have two hon. Members on their feet simultaneously.

Mr. Letwin: Will the Minister give way?

Mr. Macdonald: I shall happily give way to the hon. Gentleman.

Mr. Letwin: I am grateful to the Minister and sorry for not having drawn his attention to my desire to intervene earlier. Given his comments about the previous Government's mismanagement and its effects, will the Minister tell us what effects the recession being generated by the current Government will have on next year's settlement?

Mr. Macdonald: It is precisely because of our prudent approach to public finances that we shall be able to deliver, on plan and on schedule, the public spending increases we have already announced.

Our key housing initiative is to develop new housing partnerships, which bring together councils, tenants and the wider community in a way that gives tenants a direct say in the ownership and management of their houses. The public funds being made available from new housing partnerships are intended to be used to lever in private finance to meet the need to repair and modernise much of our public sector housing. Some £45 million has already been allocated to councils throughout Scotland to develop new housing partnerships to provide improved and, of course, affordable houses.

In August, councils were invited to bid for new housing partnership resources amounting to £278 million over the next three years. In setting in motion that new bidding round, I made it known that we intended to give priority to funding proposals for community ownership that both promoted tenant empowerment and brought in private finance.

Sir Robert Smith: Will the Minister attempt some discussions with the Treasury about how the accounting rules work, so that where tenants want to have the council as their landlord, it will still be possible for investment to be put into the council houses and for the houses still to be run by the council on behalf of the tenants, as is the wish of many tenants in my constituency?

Mr. Macdonald: The hon. Gentleman must accept that, where houses remain in the public sector, the debt attached to those houses must be counted within the public sector debt. The Treasury and my right hon. Friend the Chancellor have to evaluate and handle such debt in the same way as any other part of the public sector debt portfolio.

Sir Robert Smith: That is where the Treasury has not improved its accounting practices in line with much of continental Europe. When one invests in a house that is guaranteed to earn rental income, the debt is totally different from that which is incurred by investment in expenditure, where there is no return on capital.

Mr. Macdonald: The parallel cannot be drawn. Where local authorities demolish houses that they have built through public sector borrowing, the debt outstanding on those demolished houses is not, or ought not to be, paid off by tenants, but is transferred to the general fund and the general taxpayer. The Treasury has to take into account any consequences in terms of public sector debt. If the objective is to lever in private sector investment, which we think is a sensible objective, the approach I outlined of community ownership has the merit of achieving both that and tenant participation and empowerment. That is no great price to pay, but is a great virtue and merit of the approach we have chosen.

Mr. Salmond: I hope the Minister will forgive me for pointing out that he has not directly answered the

[Mr. Salmond]

question. It is technically possible to retire, reschedule, write off or transfer to the general fund debt relating to stock that remains in the public sector: for example, 18 months ago, we rescheduled some of the water debt in Scotland, yet the water industry remains in the public sector. The Minister's answer was that it is desirable to get the housing stock out of the public sector, but why should not the same financial incentives be available for housing stock that chooses to remain within the public sector as for that which is transferred out of the public sector? Why are the Government giving financial incentives to transfer stock out, but not offering the same financial encouragement to improve stock that remains within the public sector?

Mr. Macdonald: The point is quite simple. As long as the stock remains in the public sector, that sector will have certain obligations and liabilities concerning that stock and the financial consequences of managing it. Therefore, it is absolutely right, sensible and prudent for those liabilities to be accounted for in public sector debt. When the Treasury assesses the amount of debt and liability for next year and years ahead, it includes those houses for which it is responsible as part of the public sector.

Mr. Ian Davidson (Glasgow, Pollok): Given that the Minister is well known for being both strongly pro-European and less hostile to the Liberals than many others on the Labour Benches, could not he combine both his hobbies and agree to accept the proposal of the hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith)?

Mr. Macdonald: I am very keen on matters European. Sweden, for example, has long developed community-based and tenant-driven housing models which I would recommend to both local authorities and hon. Members. The virtue of community ownership is not just that it levers in private finance to complement the public investment that we are making, but it provides new powers and a new role for tenants. That makes it a very desirable way forward.

The bids for new housing partnerships are being assessed by a group which includes representatives of COSLA, Scottish Homes, the Scottish Federation of Housing Associations and the Chartered Institute of Housing. We shall be announcing the outcome of that bidding round later this month.

The order provides for a total amount payable in 1999–2000 of £10.6 million. That comprises £6.8 million that is payable to Highland, Shetland Islands and Western Isles councils in respect of their mainstream housing costs, and £3.8 million that is payable to 19 other authorities as a contribution towards the running costs of hostels for the homeless.

The grant calculations are based on assumed rental income of £41.76 per house a week, and assumed management and maintenance expenditure of £885 per house per annum—an increase of 3 per cent. over last year's figures. I should emphasise that those figures are neither guidelines nor recommendations, but are used for the purpose of the formula only. The assumptions are uprated annually as part of the well-established formula calculations.

Housing support grant, as a deficit subsidy, continues to decline primarily because loan-charge expenditure next year is estimated to be substantially lower than this year. However, to cushion the effect of a substantial reduction in entitlement, we have again activated the grant loss limitation mechanism, which restricts the reduction in grant to £110 a house. Without the grant loss limitation mechanism, housing support grant in 1999–2000 would have been further reduced to less than £9 million.

Housing support grant is now, of course, a relatively minor component in local authority housing finance. I remind the House again that, over the next three years, an additional £278 million will be made available to the new housing partnership initiative. No doubt, there will be further comment on that in the debate. I hope that that explanation of the two orders has been helpful to hon. Members, and I commend them and the reports to the House.

4.24 pm

Dr. Liam Fox (Woodspring): I acknowledge at the outset that although I have not been one of the hon. Members known to say the most flattering things about devolution and the forthcoming Scottish Parliament, one of the Scottish Parliament's most useful functions will be to provide a decent amount of time for the scrutiny of this sort of information, which simply has not been possible in the House. I for one very much welcome that better accountability and scrutiny. I say that in a spirit of utter magnanimity—perhaps that is as far as it will go.

It is useful to point out that the real-terms increase in central Government support is in fact 1.71 per cent. I know that Governments will always talk of a cash-terms increase, so the figure is worth putting in context, especially as the economy slows down. On a day when the Bank of England predicts growth for the first half of the year of nothing to 0.5 per cent., it is a bit rich for Ministers to talk about previous financial mismanagement. Five councils—Falkirk, Orkney Islands, Inverclyde, Shetland Islands and Western Isles—all face a real-term cuts in aggregate external finance. Therefore, to say that the settlement is one of the most generous on record will hardly come as any great comfort.

I do not make any party political point, but it is interesting to note that, of the five councils that receive the most favourable increases in aggregate external finance, four—East Renfrewshire, East Dunbartonshire, South Ayrshire and Stirling—are politically marginal, over which Labour gained control in 1995, and will be defending in 1999. On the fifth council—South Lanarkshire—the Labour party has lost a number of so-called safe seats to the Scottish National party in recent times. I imagine that there is no political pattern, and that really there just appears to one in the tables.

It is interesting to hear the Minister say that council tax will increase by an average of 5 per cent. That is at least what the Government have worked out, and how the gap in the different sets of figures, which my hon. Friend the Member for West Dorset (Mr. Letwin) pointed out, arises. If previous trends are reflected, there will be tremendous variation from that average, as I am sure the Minister would accept that. Last year's average of 5.6 per cent. resulted from figures ranging from zero in Renfrewshire to 15.5 per cent. in Orkney. That relates to our earlier point about what merits "considerable variation", to which I shall return.

The figures do not, of course, include other precepts, such as the cost of discretionary business relief, council tax benefits subsidy, and so on. The Government have also heaped new costs on councils. Pensions contributions have increased because of the Government's decision to abolish advance corporation tax, councils will be expected to meet the cost of the teachers' pay deal, and the minimum wage will have implications. That adds up to a back-door tax rise.

Given that the Minister has said that this is such a generous settlement, it is worth citing an example of its effect. Most of the increased resources are ring-fenced for new responsibilities. In Edinburgh, for example, 60 per cent. of the AEF increase is to meet new responsibilities in education, child care and care in the community. Only 40 per cent. of the increase is available for existing services, and increased salaries must be met from that amount. The settlement suddenly becomes a much less generous one.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): Is the hon. Gentleman aware that, through COSLA, local authorities have agreed with the Government on priorities in the settlement?

Dr. Fox: I do not for a minute suggest that the priorities are right or wrong. However, when one strips what is ring-fenced, the settlement is much less generous than it might appear, especially from the Minister's presentation.

Edinburgh may not be able to maintain all existing services as a result of this settlement. It has said that there will have to be restricted library access, a cut in the books budget for libraries, a scaling back of the street cleaning service, fewer home helps and a cut in road and pavement repairs. Those are comments of people who are involved in local government in Edinburgh, and I am not one to argue.

Mr. Nigel Griffiths (Edinburgh, South) *rose—*

Dr. Fox: Perhaps the hon. Gentleman will want to argue the point.

Mr. Griffiths: Certainly. Given that when the hon. Gentleman's party ran Edinburgh in coalition with the Liberals, 1,000 teaching posts were axed, his comments are a little rich. From this August, schools in Edinburgh and Edinburgh's excellent Labour authority will be delivering a nursery place not just to every four-year-old, but to every three-year-old—ahead of the promises that we made during the election campaign. The hon. Gentleman mentioned home helps. Labour's work contrasts with the massive cuts in the number of home helps when his party was in control of that self-same council.

Dr. Fox: It is not for me to determine the priorities of any council. I have always been a great believer in the fact that they should determine their own. We shall see how well Edinburgh performs in the coming year within the settlement. That can be judged by the electors later on. It is certainly not for me to try to second-guess any council. People who work in local government in Edinburgh say that they may not be able to maintain their services, and I would rather accept their view than that of a Minister.

When the Government talk about ending crude and universal capping, they put an interesting case before us because it will mean that councils will not know in advance how much they are able to spend. It will also enable the Government to decide the capping criteria that they will eventually use on the basis of which councils they choose to be affected, in order, no doubt, to avoid potential embarrassment at having to a cap many Labour-controlled authorities. They are replacing crude and universal capping with arbitrary and retrospective capping. That further blurs accountability in local government and reduces, rather than increases, transparency.

The Minister refers to cases in which the guidelines are breached by a considerable amount. For guidance, will he give us an example of council tax rises last year that would have breached guidelines by what he terms "a considerable amount"? For example, would last year's limit of 5.6 per cent. have been breached considerably by Glasgow's 9.4 per cent. increase, Aberdeen's 11.5 per cent. increase or Orkney's 15.5 per cent. increase? Which of those figures would have amounted to a breach?

Mrs. McKenna *rose—*

Dr. Fox: I am sure that the Minister for Home Affairs and Devolution could answer the question and he should do so in his winding-up speech. The Under-Secretary gave us the Government's definition when he said that they did not want guidelines to be breached considerably. The House and councils have a right to know what that means in practice. That is not an unreasonable question for the House to ask. I look forward to the Minister giving us the information that we require.

Another problem is the transfer of responsibility for council tax benefit. That means that if a local authority increased council tax above a certain level, council tax payers would have to pay even more to subsidise some of the cost of CTB. That will be a disproportionate cost to council tax payers in less-well-off areas, where an above average proportion of residents are in receipt of benefit.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): Did I hear the hon. Gentleman refer to CCTV?

Dr. Fox: No, to CTB—council tax benefit. I have obviously been away from Scotland too long. The Minister has trouble understanding the Somerset inflection that I have developed.

I should like the Minister, in his winding-up speech, to give us his view on uncollected taxes. The latest figures that we have for the levels of uncollected council tax and community charge reveal that the total value of unpaid bills as at 30 September 1998—that does not include the figures for 1998–99—had increased by nearly £50 million. That follows an increase of almost £150 million last year. I have sympathy with Ministers because it is interesting that the increase has occurred in spite of the fact that the previous Government and this Government issued grants to local authorities to improve their current and past collection rates.

[Dr. Fox]

I am sure that the Minister will accept that the trend is worrying because in Glasgow, the amount of uncollected local taxes is 18.6 per cent. of the amount billed. In West Dunbartonshire, the figure is 12.2 per cent., and in South Lanarkshire, it is 8.6 per cent.

Mrs. McKenna: Does the hon. Gentleman agree that uncollected taxes are a direct result of the poll tax imposed by his Government? Furthermore, is he advocating that there should be no capping at all?

Dr. Fox: I am absolutely puzzled as to how an increase in uncollected taxes in the past year can be due to the poll tax, when it is clearly due to the amount of council tax that has not been collected in the past year. Of course there is a hangover from uncollected community charge, but there has been an increase in the past year of the amount that is outstanding. That is worrying, especially when central Government are giving grants, and it is due to the fact that local government is not carrying out its tax collection duties properly.

One of the worries is that those who are not paying their council tax are causing a higher increase for law-abiding citizens who do pay their council tax. That is the moral reason why the Government should redouble their efforts to try to make sure that the system works.

A secondary problem is council debt in Scotland. The cost of servicing debt is huge. For example, in Glasgow the cost of servicing the debt is £245 million and in Edinburgh it is £117 million. Those are high figures. One of the advantages of the Scottish Parliament having more time to consider these measures is that it will be better able to hold central and local government to account.

Such mismanagement in local government finance definitely needs to be checked. It was only in late January this year that Labour-controlled North Ayrshire council said that it would have to raise the average council tax bill by £37 to cover a £4.2 million budget deficit. Earlier in January, the Labour-run City of Glasgow council said that it would not impose a rise in council tax, but that would be at the expense of a budget cut of £21 million and 400 job losses. That is despite the fact that Glasgow had over £200 million of uncollected taxes. Last December, it was announced that the former Labour-run Strathclyde regional council bequeathed a closing deficit of £78.5 million.

The report by the Controller of Audit, Robert Black, on the performance of councils' direct labour organisations and direct service organisations for 1998, found that half of Scotland's councils had incurred deficits in at least one of their DLOs or DSOs. That is well detailed in the Scottish Office note. Those are important issues.

I hope that the Scottish Parliament will take seriously its duties in accountability and scrutiny. It is a great pity that the House has not had more time to consider the figures. They are very complicated and many Members want to take part in this important debate. I hope that those who go to the Scottish Parliament will take seriously their duties. I wish them well in what will be a difficult task.

4.36 pm

Mr. Nigel Griffiths (Edinburgh, South): We have just heard a very poor analysis by the Opposition of the figures in the settlement. The Opposition spokesperson, the hon. Member for Woodspring (Dr. Fox), has the real story in front of him, and that reveals that on top of the comprehensive spending review settlement, which guarantees a real-terms increase of 6.8 per cent. over the next three years in spending on vital public services in Scotland, today's announcement is particularly welcome.

We welcome the Government-supported expenditure increase of £301 million, which increases spending by 4.8 per cent.—well above inflation—to £6.5 billion. We welcome the grant-aided expenditure increase of £265 million, which increases spending also by 4.8 per cent. to £5.8 billion. For the third pillar of local government finance which supports our council-run public services in Scotland, the aggregate external finance figure of £5.5 billion has also increased by £219 million, which is 4.1 per cent. Those are the important figures, but what the money does is more important still.

Last year, we spent over £500 million of public money in Scotland on housing. The comprehensive spending review provides an extra £300 million for housing and area regeneration. I want tenants to be given more say about their housing and more resources to carry out vital works because we have inherited a shameful legacy.

Shelter tells me that until 1995, we were spending far less on housing as a percentage of gross domestic product than comparable European countries. Our spending was well below the European Union average. Shelter says that that has condemned 362,000 Scottish children and 119,000 Scottish senior citizens to living in damp houses. My hon. Friends will visit them in their homes and hear their problems at their constituency advice sessions every week. Shelter estimates that nine out of 10 houses in Scotland fail to meet modern energy efficiency standards, which is an absolute disgrace. Since the election, it has been our priority to tackle those poor standards in 50,000 homes with £9 million of new money.

Before Christmas, I visited Shanter way in my constituency to find out how that money was being spent directly on cavity wall insulation, roof insulation and draft excluders on doors and windows, which transformed the life of a young family, one of whom was disabled.

Energy Action Scotland is doing a terrific job in co-ordinating that work throughout Scotland. None of it would have been possible without Energy Action Scotland and without the money made available by the Government, and the money that we levied from the utilities to fund the new deal, which was opposed root and branch by the Conservative party.

I spoke to one of the new dealers in Shanter way, a young man who had been unemployed and is now getting training. He praised the scheme. He is getting double the basic £70 and will be taken on permanently. He told me how that had transformed his life and the lives of 16 other youngsters working for the same firm.

I am pleased that the Minister for Home Affairs and Devolution is giving the rough sleepers initiative a boost of an extra £30 million to help people with no roof over their heads. We feel a great sympathy and compassion for their plight, and that initiative will make a real difference. As one of the founders of *The Big Issue in Scotland*, I pay tribute to my hon. Friend's work.

Education is, of course, the Government's priority. I welcome the real growth in spending of 15.3 per cent. over the period of the comprehensive spending review—an extra £1.3 billion, which is far more than the Liberals pledged. We got off to a flying start with an extra 5.1 per cent. in Labour's first year, which meant an extra £200 per pupil.

We are keeping our promise to provide nursery education for all three and four-year-olds with the extra £40 million. We welcome the increase of £112 million for pre-school education, which will allow many more three and four-year-olds in Scotland to attend nursery school. As a result of this settlement and other financial help given by the Government, 100,000 children will receive grant-funded pre-school education in the next school session.

It is vital that we honour our commitment to cut class sizes. That is being done for the crucial ages in primary 1, primary 2 and primary 3, to ensure that no pupil is taught in a class of more than 30. Of the 18 primary schools in my constituency, some have already achieved that and others—particularly Sciennes school and James Gillespie's primary, where there are pressures on numbers—will welcome that commitment and the extra resources made available today.

That money will be spent, in contrast to the shameful neglect of education by Lothian regional council when the Conservatives and Liberals ran it in coalition. At that time 1,000 teaching posts were axed from Edinburgh schools, including such vital extra teachers as specialist music teachers and drama therapists. Therefore we do not take lectures from other parties about how we are running education in Edinburgh, nor should my hon. Friend take any lectures from them on his spending plans and stewardship in Scotland.

As my hon. Friends know, I took an interest in social work before coming to the House of Commons. I welcome the 4.9 per cent. increase—the extra £51 million, with a significant extra component going to community care. During the Tory years, steps were taken to empty a hospital in my constituency without alternative provision having been made. Now, people's needs are realistically assessed and tangible support is offered when care in the community is provided. That is not cheap, so the extra money is vital.

The fire services are to get an extra £8 million—a welcome above-inflation increase—and there is an extra £24 million for the police services. Throughout the range of public services, a great start has been made. We can hold our heads high.

There is a clear message from the Labour Government: we value local government and local government services. We pay tribute to the many hard-working local councillors and dedicated council staff. We are providing an extra 4.9 per cent. in overall extra expenditure. This year, next year and the year after, the people of Scotland can look forward to getting value for money in a range of vital services, instead of what they experienced in the past decade—swingeing cuts, reduced services and, in many councils, the disappearance of vital services.

Dr. Fox: On a point of order, Mr. Deputy Speaker. You will have been made aware that the Government are to make a statement on Kosovo at 7 pm. Have you been informed by Ministers why that could not have been made earlier, when more hon. Members were around the Palace of Westminster.

Mr. Deputy Speaker: I am afraid that I have had no messages. It is entirely a matter for the Government when they decide to make statements to the House.

4.46 pm

Mr. Donald Gorrie (Edinburgh, West): We will give one feeble cheer for the local government settlement. It certainly does not deserve two cheers.

There is a real-terms increase of about £64 million this year, allowing for inflation. However, we must look further than one year. Last year, there was a cut of £83 million, and the year before there was a cut of £260 million. If we look back over five years and project the Labour Government's plans for the next five years, and compare the last five years of the Conservative Government with the first five years of the Labour Government, we find that the Labour Government will have supported local government to the extent of £460 million less per annum than the Tories.

The hon. Member for Edinburgh, South (Mr. Griffiths), whom I am happy to follow, deserves a job in the Labour party's spin department. I do not recognise the situation that he depicted. He referred several times to an alleged coalition in Lothian regional council, which [illegible] existed. The Liberal Democrats at that time helped to save a great many services that would have been cut. The Labour party did nothing to help. The hon. Gentleman is good at rewriting history and painting the present in false colours, so he deserves a job in the relevant part of the Government.

Over the past two years, there has been a net cut in local government funding—a slight increase this year and a bigger decrease last year. The councils that have suffered most are, in order of severity, Aberdeen, Inverclyde, Shetland, Argyll and Bute, Dundee, Moray, West Dunbartonshire, Stirling, Glasgow and Falkirk.

Mrs. McKenna: How does the hon. Gentleman square that with the comment of the hon. Member for Woodspring (Dr. Fox) that Stirling was one of the areas that was gaining because it was a Labour marginal at the general election?

Mr. Gorrie: I am not questioning any motives. I have not checked, but I suspect that Stirling may have done well this year, but particularly badly the previous year. I think that my figures are correct over the two years.

I should like the Minister to answer several questions. First, will the Government guarantee the finance for councils to fund their programme for modernising education, which involves related teachers' pay increases? The Government, COSLA and the councils are keen to improve and modernise education. Will the Government be sufficiently flexible and allow finance to enable any necessary pay increases and other improvements to be made?

Secondly, when will the Government remove local authority self-financed expenditure from the public sector borrowing requirement? That is the single biggest constraint, and it could be a constraint on the Scottish Parliament, depending on what are the rules. It is essential

[Mr. Gorrie]

that that constraint is removed. The current position is ludicrous. The British are out of step with the continental countries, and we should change the rules smartly.

Thirdly, why did the Scottish Office remove community care as a line in the Budget? In recent years, there has been a line for community care, but, this year, it comes under social work. The figures may be a bit damning; when I asked for figures on community care I was given figures on social work, less youth activities. That shows that, despite councils being asked to do much more, they were receiving an increase of only 0.25 per cent. two years ago and last year. They are receiving no increase this year, so the money for community care is simply not there.

I should have thought, with respect, that if the Government are serious about joined-up budgeting and joined-up government, community care should involve social work, housing and health. Pre-eminently, the budget should stand alone and draw on those three, rather than be lost in a morass of social work funding.

Fourthly, will the Government make best value less bureaucratic? Most people would sign on to the concept of best value, but others will have had an experience similar to mine when I visited the chief executive of the council of the area that I have the honour to serve. He produced a huge wodge of papers, which related to one little bit of best value. The initiative is hugely bureaucratic and takes up enormous amounts of the time of council senior management. The idea is good, but surely we can carry it out in a more humane, sensible and less bureaucratic way.

Fifthly, the Under-Secretary, who spoke in his usual charming style, said that the Government were keen to keep the council tax down. Actions speak louder than words. This year, continuing from previous years, the Government have made aggregate external finance diverge further from grant-aided expenditure. The aggregate external finance of GAE was 84.7 per cent., but it is down to 84.2 per cent and they have diverged more and more year by year. The more that they diverge, the more that has to be cut, or the council tax has to go up disproportionately, to make up the difference.

Contrary to that divergence, the issue of convergence concerns COSLA, and the hon. Member for Linlithgow (Mr. Dalyell), greatly. The councils are afraid that the Government are forcing them gradually to bring their budgets in line with the Government's estimates rather than the reality and what the councils, in past years, have determined.

The next issue is funding of pay increases, which does not happen. The Government, like the previous Government, pretend that pay increases can be paid for through efficiency, which is a complete falsehood. That is just not possible and there is merely a hidden cut. It would be more honest of the Government to fund the pay increases in full. If a budget is not enough to pay for everything, the Government say that there has to be a cut in something, but if affairs are being run in an honourable manner, people do not pretend that pay increases can be funded without increased moneys. The figures provided by COSLA show that the councils have had to produce at least an extra £550 million over the past six years.

One of the issues that we have been asked to cover this afternoon is housing. The Minister spoke warmly of the amount of money that the Government will put into housing under partnerships and regeneration. He did not stress, however, that this is a "pistol to the head" approach. Councils are being told that they must transfer their stock or they will not get the money. When challenged on that policy by councillors, the Minister said, "It's a free country. You can either agree to go along with this or not." If councils do not go along with it, they get no money. Surely it is possible to put money into councils without having the compulsion to which my hon. Friend the Member for West Aberdeenshire and Kincardine (Sir R. Smith) referred. If councils run things well and tenants are happy with what they are doing, they should be given the money without having a pistol at their head.

There has been a steep decline in housing repairs funded from the public purse, particularly repairs to our city tenements. Last year, Glasgow spent about one sixth of what it had spent on average in the previous nine years on repairs and grants for repairs to tenements, with the aid of grants from the Government. In Edinburgh, the decline is to one thirteenth of the average in the previous nine years. There is almost a total standstill in the repairs to tenements. The Government should deal with that huge problem.

The Government may claim, quite fairly, that they removed the ring fence around this money, and that it is now up to the councils. If councils are tightly squeezed on all financial fronts, they will take money from wherever they can get it, and they have taken money from that source. If the Government are serious, they must either ring-fence those funds again or do something to ensure that cities continue to repair their tenements.

The result of the Government focusing their modest increases on particular spheres is that other spheres of activity have continuing cuts. Although the cuts may seem quite small, they come after many years of Tory cuts. There are cuts in councils' care for the environment, and severe cuts in their support for sport. The Sports Council has estimated that the support that councils give to sport has decreased by half over the past five years. There is a huge decrease in the support of voluntary organisations, many of which have collapsed or have had to make severe cuts. Citizens advice bureaux have had to reduce or lay off staff, or open less. There has been a reduction in funding for social work, road repairs, community education and help for young people and youth activity, which would prevent many of the problems in our communities.

The Government are perpetuating that death by a thousand cuts in the fabric of our society. They are dismantling our communities. It is a gradual rather than a dramatic decline each year. Our communities are in much worse shape than they used to be, and it is disappointing that the Government have not put in more money to help them.

We must have a rational review of local government finance. The whole business of 85 per cent. coming from the central purse with councils raising only 15 per cent., together with the controls that the Government feel are necessary, is not acceptable. I hope that the Minister will agree that the Scottish Parliament should, at an early stage, have a thorough review of local government finance, so that, in a few years' time, we can lay the foundations of a more rational system. This is not a rational system: it is profoundly unsatisfactory. We are disappointed that the Government have turned the ship around so little. After two years of large cuts following the Tories' budget, there is now a modest increase. That is disappointing, because many parts of local government are suffering severely.

4.59 pm

Mr. James Wray (Glasgow, Baillieston): This subject is dear to my heart. I have listened to the facts and figures that hon. Members from both sides of the House have given. I know how badly the previous Government did on housing. At the time, I was a councillor, and the houses in my area were rotten with damp, there were rats and, every day of the week, the council received claims for compensation due to the damage caused to household effects. People were living about 500 to the acre, although the number was subsequently reduced to 150.

When I speak of housing expenditure, I refer to Glasgow, but also to Scotland as a whole. It is a damn shame that, between 1991 and 1992, the housing support grant was cut from £101 million to nil in a city where those statistics have hardly ever changed. Under the last Government, some 7.1 per cent. of houses were empty, and 5.8 per cent. are still empty. Moreover, additional expenditure has been necessary because of the damp and the cuts—problems that arose under the last Government. In 1993, 1,300 houses were pulled down in Philadelphia; meanwhile, some 2,335 were demolished in Glasgow.

Hon. Members have read facts and figures from pieces of paper. They have mentioned housing expenditure of £643 million in 1995–96, and of £700 million-odd in 1996–97. In 1977, the figure was £464 million; and in 1978, it was about £498 million. That represents an increase of 6 per cent.—an increase of £30 million—but, when we examine the figures closely, we see that there is a shortfall of £479 million. The Minister says that £300 million will be invested over three years, but that falls short of what is needed.

Glasgow contains about 103,000 houses, and owes 90 per cent. of the debt to the Public Loans Board—£1.1 million. Given the need for repairs and renovations, an investment of some £1.7 million is needed. Glasgow is trying to offload houses on to anyone who will take them, and I am a little concerned about some of the organisations that are interested. I am particularly worried about the private finance initiative. If the Government write off the debt, as they should, they should not saddle the Scottish Parliament with that £1.1 million. If they want a successful Scottish Parliament, they should take that into account.

Mining—there are between 800 and 900 shafts—has caused Glasgow a number of problems over the years. Furthermore, because of the neglect for which Tory landlords were responsible, people were living five or 10 to a house in slums. When those houses began to decay and fall down, the landlords ran for their lives, offering the houses two a penny to whoever would buy them to avoid the responsibility of a demolition order. That is the problem that Glasgow has inherited. I have spent 15 years in Glasgow, and, every minute, landlords who had been charging extortionate rents were trying to give away their properties.

The last Government had plenty of time to do something about that. They certainly increased housing expenditure in Scotland and, indeed, in Great Britain, but no one knows where the money went. Would the city of Glasgow still be in chaos if all those millions of pounds were invested in housing? In 1993, unemployment there was about 15.4 per cent.—the fourth highest in Britain. We had all those problems. There was not much money. How the hell could the previous Government cut the support grant and give those people nothing?

Under the Housing (Scotland) Act 1966, claims could be made if household effects were damaged through no fault of the tenant. In one year, about 800 claims were made to Glasgow council. That cost it hundreds of thousands of pounds. It is still burdened with that, and with all the dampness problems. Unless a Government invest the money that is needed, nothing can be done about the problem. That is why Glasgow councillors are saying that they cannot cope. There is no money to cope.

For years, houses were demolished out of the housing revenue account. Under new rules, if people demolish houses and the land is then made available to the council for other purposes—Lothian, Edinburgh and Dundee councils have operated the system—the expenditure can be transferred to the general fund. That is how Glasgow will have a £22 million surplus this year, but, with that state of affairs, it was sad that the previous Government did not inform local authorities of the responsibilities, and what their entitlement was.

Therefore, I hope that, when we add up the figures, we do not try to hoodwink people. Expenditure was £749 million in 1995–96. It was £643 million in 1996–97. In the current year, it is £464 million, which is the lowest expenditure of any Government over the years. Then they say that we have a 6 per cent. increase by raising that expenditure to £494 million. Obviously, people can add up. They can do their sums. Where I came from, we were taught to do our sums. I do not need to look at papers; I can add it all up in my head like a check machine. All I am saying is: be honest, be fair and get rid of that problem. For decades, people have suffered. A total of 23,700 houses are unfit for human habitation and should be repaired.

As long as the matter is neglected and the money is not invested, we are creating a big problem. About £1 billion of housing benefit is being paid to landlords, hotels and so on. That creates health problems, putting a burden on the health bill. Let us have a real look and a review of all the various Departments to find out where the money is going because, in 1995-96, the money certainly did not go on housing.

5.8 pm

Mr. Alex Salmond (Banff and Buchan): I agreed with just about everything that was said by the Liberal Democrat spokesperson, the hon. Member for Edinburgh, West (Mr. Gorrie), so in the interests of helping other hon. Members to get into the debate, I will not repeat it all. However, I did not agree with his assessment of the speech by the hon. Member for Edinburgh, South (Mr. Griffiths).

At a superficial level, that speech might have been seen as a fawning attempt to get the hon. Gentleman's job back, but at a deeper level, it was profoundly subversive. As I listened to it, I suddenly realised that he was impersonating

[Mr. Alex Salmond]

Harry Enfield impersonating the Prime Minister as the Vicar of St. Albion. By wit and irony, he was exposing the fallacy behind new Labour's presentation of its economics.

Mr. Nigel Griffiths: Will the hon. Gentleman give way?

Mr. Salmond: The hon. Gentleman might allow me to tease him without—

Mr. Griffiths: Will the hon. Gentleman give way?

Mr. Salmond: Oh, very well.

Mr. Griffiths: The hon. Gentleman should not be allowed to divert the House from the abysmal record of Scottish National party councils. The Scottish nationalists promised to give senior citizens a £10 Christmas bonus, then repudiated the promise. They increased concessionary fares for senior citizens by 2,000 per cent. when they took over one council. Those are the facts. That is why we have to take countermeasures against abysmal SNP councils.

Mr. Salmond: Presumably that is why, in last year's survey of almost 30 local authorities in mainland Scotland, the three SNP councils came first, second and third—gold, silver and bronze—for the services that they provide to constituents. The three bottom places and three wooden spoons were taken by three Labour councils. I am sure that many Labour Members recognise the councils that fell down so badly in those ratings.

Perhaps I was crediting the hon. Gentleman with too much sophistication. As I listened to him, I believed that he was exposing the fallacy behind new Labour's presentation. The Tory Front Benchers are so incompetent that they did not compare the spending levels for Scottish local government during the Tory years with those for the five years covered by the comprehensive spending review. As the hon. Member for Edinburgh, West said, those figures show a sharp real-terms fall in local government expenditure in Scotland. The Tories were probably embarrassed to make that point, thinking that they would look profligate.

When the right hon. Member for Hamilton, South (Mr. Robertson) considered the 1994–95 settlement for Scottish local authorities from the Opposition Front Bench, he did not say that it was profligate, open-handed or generous. He said that it was niggardly and that the Conservatives should be ashamed of it. If that settlement were applied to the years covered by the comprehensive spending review, there would be more than £1 billion extra for Scottish local government to spend.

We should deal in realities. This settlement is certainly greater than last year's or that for the year before in real terms, but a comparison of the last five years of the Tory Government with the years covered by the comprehensive spending review shows, as the hon. Member for Edinburgh, West rightly said, that there is less money available for Scottish local government.

I am sure that the Minister for Home Affairs and Devolution is not too distressed that this is the last time that he will be responsible for taking us through the complexities of Scottish local government finance.

Mr. Malcolm Savidge (Aberdeen, North) *rose—*

Mr. Salmond: Forgive me, but I want to help others to get into the debate.

I salute the unfailing courtesy of the hon. Member for Western Isles (Mr. Macdonald). The local government Minister in the new Scottish Parliament, from whichever party, could do a lot worse than present his or her case with the same courtesy. I hope that that salute is not too embarrassing for the hon. Gentleman.

I should like to pursue one point that arose from our earlier exchanges. There was some debate about where the figures came from for the Convention of Scottish Local Authorities' argument that convergence would reduce expenditure in Scottish local government by £300 million compared with Government-supported expenditure. The COSLA brief talks of

> "the move to use those guidelines as a means to constrain expenditure so that eventually overall expenditure reduces by £300 million to converge with Government Supported Expenditure. Accountability should rest with councils in terms of justifying, to their electorate, their expenditure decisions".

If central Government are controlling the revenue available to Scottish local authorities, at least the expenditure decisions should be for the councils to make, so that the electorate can judge them on those decisions.

The strongest point made by the hon. Member for Edinburgh, West was that even self-financing expenditure is counted on the public sector borrowing requirement and could be used to reduce the Scottish block. Even if Councillor David Begg found a method of extorting £10,000 from every motorist going into Edinburgh—who knows, that may not be beyond the bounds of possibility—such self-financing public expenditure that was invested by the council would hit the Scottish block under the current terms of the PSBR and the evaluation of public sector finance.

The dangers for the Scottish Parliament are all too clear. Unless the definition is changed, the Scottish Parliament will be driven to increasingly draconian measures on controlling expenditure levels, because it will be frightened of the implications to the Scottish block of even self-financing expenditure being run at local level. That is an important point and I hope that the Minister will respond to it in his reply to the debate.

I hope that the Minister is aware of the considerable concern about the structure of new housing partnerships. I doubt whether any hon. Member would not agree that in certain circumstances it would be a good thing if communities took over the running of estates. No one is against that. However, people are against the idea that people should be bludgeoned, blackmailed, bribed or disadvantaged if they choose to remain as council tenants. Of course some councils in Scotland have bad records of running council stock. However, other councils have very good records. Over the years, various ballots have shown council ownership to be a popular option.

When we debated new town housing, tenants argued with hon. Members—and at the time they were supported by the then Opposition—that council ownership should be an option in the ballot process. It is not good enough for the Minister to tell us that nothing can be done to help councils with housing finance as long as housing remains in the public sector. There have been many write-offs and reschedulings and transfers of debt across a range of industries within the public sector, and we are entitled to demand equal and even-handed treatment. Whatever incentives and finance is being applied to housing finance in Scotland, it should not discriminate against the social rented sector and various councils.

Mr. Douglas Alexander (Paisley, South): In the light of what he has just said, can the hon. Gentleman assure the House that in the coming weeks and months his party's spokesman on housing will not use terms such as "privatisation" to describe community ownership?

Mr. Salmond: Privatisation is quite an interesting description. Brian Weddell, Edinburgh's housing convener, said:

> "the ruling Labour administration is opposed to the wholesale privatisation of Edinburgh's council housing . . . It is one thing to advise people of their options—it is another to hold a gun to their head".

I support those comments. Perhaps the hon. Gentleman should speak to his hon. Friends before he makes any further interventions.

Of course partnership could well be an option for certain communities, but it is not reasonable to disadvantage communities and council tenants who wish to remain in the public sector. I hope that the local government Minister has analysed the points made by Shelter about new housing partnerships. Shelter feels that they will offer less rent protection, less secure tenancies, no statutory duty to house homeless people, and insufficient guarantees for future improvement of the stock. Those are real points that need to be addressed if we are to help people.

This year's local government settlement for Scotland is better than those of the past two years, which were the most disgraceful settlements in a decade. It cannot be argued that this year's settlement represents an open-handed new deal for Scottish local government. It is a continuation of real-terms decreases in public expenditure in Scotland, and should be exposed as such.

5.18 pm

Mr. Oliver Letwin (West Dorset): We have had an interesting debate concentrating on three key points. First, there has been a great deal of discussion as to whether or not this year's settlement is a generous one. We heard the revivalism of the hon. Member for Edinburgh, South (Mr. Griffiths) in a speech which I very much enjoyed. As is the wont of the present Government, he added together the figures for three years, subtracted an inflation rate for the next three years—with a prescience that the Chancellor of the Exchequer does not share—and produced what he described as a splendidly generous settlement. We were then treated to some doses of the truth by the hon. Members for Edinburgh, West (Mr. Gorrie), for Glasgow, Baillieston (Mr. Wray) and for Banff and Buchan (Mr. Salmond).

This is not a generous settlement. That is not surprising, because there is no such thing as a generous settlement. When the Government spend, or allow other people to spend, taxpayers' money, that is not an open-handed form of moral generosity but merely a means of transferring money from one pocket to another.

That may be good or bad, but it is certainly not generous to do more of it; nor have the Government done more of it. As we have heard repeatedly today, they have done rather less of it, overall, even than the previous Government. If they were honest, they would explain clearly and honourably that they have reasons for controlling public expenditure, but they do not want to do that because they want to gull themselves and their electors into believing that they are being generous. That has already begun to catch up with them today, and when the hon. Member for Banff and Buchan rises as a ghastly phoenix from the ashes of the Secretary of State's policy, they will know what they have done.

The lack of that so-called generosity means that local taxpayers will pay considerably more this year. As the Minister admitted, their tax rises will be around 5 per cent. on average. As my hon. Friend the Member for Woodspring (Dr. Fox) said, some local tax rises will be considerably higher, which will not be greeted with great joy, as it would not be anywhere in the country.

Local government in Scotland and in the rest of the United Kingdom faces the greatest uncertainty that it has ever faced, as a result of Government policies. Here we enter a terrain of great seriousness. My hon. Friend the Member for Woodspring correctly described the Government's replacement for what they called crude and universal capping as a system of arbitrary and retrospective capping.

In an interesting speech, the hon. Member for Edinburgh, West, supported by the hon. Member for Banff and Buchan, argued that self-financed expenditure should be removed from the public sector borrowing requirement. That is a long-running call from local government. I remember such calls in the late 1970s and there has been a running discussion ever since.

There has also been huge objection to universal capping, and perhaps such capping, and the constraints of PSBR accounting, are crude—I accept that, as anyone who has been involved in local government is bound to do—but at least the old system had clarity. Through the present arrangement, the Government consciously underfund the total expenditure that they believe to be appropriate for local government—that is the difference between the grant-aided expenditure and the guideline spending—and then tell local authorities that they cannot and will not let them know at which point they are spending too much.

That is an extraordinary way of conducting public policy and government. If it were done in relation to the private sector, I have no doubt that it would lead Ministers to be subject to judicial review. It would be regarded as an arbitrary action to tell a private individual that he would be informed only after he had acted whether his actions were proper in the light of the law. That is exactly what the Government are telling local authorities in Scotland: that they will not tell them what will ex post facto be judged to be wrong behaviour.

When the Government begin to see what happens and get the reaction that will undoubtedly come from some Labour councils, they will reverse the policy, because not only Scotland but the government of the whole kingdom will founder on such a policy.

5.24 pm

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I will very much welcome being in the Scottish Parliament after 1 July, if I am elected, so that we can hear a Conservative Opposition who know something about them speaking up on Scottish issues. Conservative Members have shown breathtaking brass neck and breathtaking ignorance of what is happening in local government. After 19 years of neglect, we have a Government who are addressing the substantial issues in Scottish life.

During 2001–02, an extra £840 million will be provided, including additional resources for pre-school education. That will mean that we start to tackle the issues that matter to ordinary people, including education. We will look at service delivery, and the Government are committed to improving public services after that period of total neglect.

The hon. Member for Woodspring (Dr. Fox) referred to council tax collection levels, and said that £50 million was added in the last year. I remind the hon. Gentleman that £810 million was added from 1979 to 1997, when the Tories were thrown out by the Scottish people. If one thing contributed to the culture of non-payment, it was the most monumental piece of stupidity called the poll tax. That is the charge that the Conservatives cannot defend.

We are starting to reverse the situation in Scotland with the support of all local authorities, who take this issue seriously. That includes Scottish National party, Labour and independent councils. We think that people should pay their debts to local authorities—something that was never taken seriously by the Conservative Government, and certainly has not been taken seriously by the Conservative Opposition. The Conservatives now want to be spending more after a period of neglect. That is dishonest in relation to Scots who want extra investment. The Labour Government are now pushing forward investment.

The hon. Member for Edinburgh, West (Mr. Gorrie) berated the Government for their lack of investment, but he grudgingly conceded that there had been some improvement. We cannot turn around 19 years of neglect in the space of two years. However, we are putting in substantial investment and we are making a start, and the services that he addressed are the focus for the Government.

My hon. Friend the Member for Edinburgh, South (Mr. Griffiths) made the point that in terms of the foundation years of pre-school education, the Government are delivering. That should be welcomed by families in the constituency of the hon. Member for Edinburgh, West. I hope that he would concede that that is happening throughout the country.

Mrs. McKenna: This is an historic occasion, since it is the last time that there will be a Scottish local government finance debate in this House. It is important to recognise that, and to congratulate Ministers on the work that they have done on local government. Despite what all the opposition parties have said, all local authorities and the Convention of Scottish Local Authorities have welcomed the real-terms increase in the settlement. It is important to put that on the record.

Mr. McLeish: My hon. Friend makes a good point. It has been acknowledged by all organisations in Scotland—especially those representing the 290,000 local government workers, and the electors—that the job has been started on investment and that we are making sufficient progress.

There were many good points in the debate, but it would not be appropriate in the short time available to address all of them. As a matter of courtesy, I can say that the points that have been raised will be the subject of detailed correspondence. I repeat what my hon. Friend the Member for Western Isles (Mr. Macdonald) said at the outset. We look forward to having more time in the Scottish Parliament to debate these important issues. If we can do that, we will serve local government and every constituent in the country well.

Question put:—

The House divided: Ayes 291, Noes 19.

Division No. 66] **[5.29 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*

Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum

McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank

Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann
(Dewsbury)

Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Jane Kennedy and
Mr. David Jamieson.

NOES

Ballard, Jackie
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burstow, Paul
Campbell, Menzies *(NE Fife)*
Cotter, Brian
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
Hancock, Mike
Harris, Dr Evan
Heath, David *(Somerton & Frome)*

Hughes, Simon *(Southwark N)*
Michie, Mrs Ray *(Argyll & Bute)*
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Tonge, Dr Jenny

Tellers for the Noes:
Mr. Donald Gorrie and
Mr. Phil Willis.

Question accordingly agreed to.

Resolved,

That the Local Government Finance (Scotland) Order 1999, dated 28th January, a copy of which was laid before this House on 1st February, be approved.

HOUSING SUPPORT GRANT (SCOTLAND) ORDER 1999

That the draft Housing Support Grant (Scotland) Order 1999, which was laid before this House on 28th January, be approved.—*[Mrs. McGuire.]*

Constitutional Law

5.42 pm

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I beg to move,

That the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Finance) Order 1999, which was laid before this House on 4th February, be approved.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the following motion:

That the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Appropriations) Order 1999, which was laid before this House on 4th February, be approved.

Mr. McLeish: For convenience, I shall refer to the orders as the finance order and appropriations order respectively.

It is challenging and exciting to realise that this is the last time that the House will be called upon to consider the detailed public spending plans for Scotland. We are now just 12 weeks away from the elections to the Scottish Parliament and 19 weeks away from that Parliament assuming its full powers. From then on, the House will be required only to agree the size of grant to be paid annually into the Scottish Consolidated Fund. It will be for the Scottish Parliament to determine how its overall budget should be decided and spent. So this is truly an historic occasion.

Of course, the management and control of public spending in Scotland will not be passed into a void: it will properly be a matter for the Parliament to decide upon its own financial procedures. Meanwhile, a great deal of work has already been done to prepare the ground. In particular, the cross-party consultative steering group has signed off a report from the financial issues advisory group that makes detailed proposals for all the necessary budgeting, monitoring, accounting and audit arrangements. I do not, of course, wish to pre-empt the decisions of the Parliament in any way, but I believe that the template provided for it by FIAG is of the highest quality. It reflects enormous credit upon the expertise of the group's members who gave freely of their time and knowledge. With your permission, Madam Speaker, I place on record our thanks for all their work.

However, FIAG's report provides only a template for the future. Our more immediate task is to get from where we are now—a Westminster-based public expenditure system—to whatever new system is adopted by the Scottish Parliament. We must do so with the minimum of disruption to public services and the minimum of inherited constraint placed upon the Parliament. Meanwhile, we must also maintain the highest possible standards of public expenditure and control throughout the process.

That is what the orders we are discussing today are all about. As their titles strongly suggest, they are transitory and transitional. They are specifically designed to deal only with the financial year 1999–2000 and to get us across during that year from a Westminster public expenditure regime to one that is determined by, and is the responsibility of, the Holyrood Parliament, and to do so in the context of a financial year when spending responsibility will fall to the Secretary of State for Scotland in the first part of the year and, from 1 July, to the Scottish Executive.

Our basic strategy is simple. We have already made arrangements to bring into being on 1 April the Scottish Consolidated Fund. The next step is to set out a financial framework for the transitional year. That the finance order does. However, without actual funds to spend, such a framework will be worthless, so we must give authority to allow expenditure actually to take place. That is why we require an appropriation order that will convert the theory set out in the finance order into the reality of spending on front-line services.

I shall move briefly to the key points of the finance order. In essence, it puts in place for the transitional year, arrangements governing the spending of, and accounting for, money paid out of the Scottish Consolidated Fund. There are similar provisions in a host of Acts of this Parliament, ranging from the Exchequer and Audit Departments Act 1866 to the National Audit Act 1983.

The order sets down the conditions under which sums may be paid out of the Scottish Consolidated Fund during the transitional year. It puts in place arrangements to ensure that any payments from the fund relate to functions that are, or will be, devolved and that they have the necessary legislative authority.

The next main provision transfers spending authority for balances unspent at the date of devolution from my right hon. Friend the Secretary of State to Scottish Ministers and, in certain cases, to the Parliamentary Corporation. This is important because it will enable funding for public services to be approved for the entire transitional year and allocations to move seamlessly from my right hon. Friend to the control of Scottish Ministers without further approval.

While those provisions concentrate on the spending of public money, others ensure that funds are properly accounted for. The finance order specifies accounting arrangements for the transitional year in some detail. It requires the Secretary of State to prepare accounts for transactions that take place prior to devolution and places an identical obligation on Scottish Ministers for the period after that.

Mr. Tam Dalyell (Linlithgow): Have any arrangements been made for a contingency fund or for what should happen in case of contingencies?

Mr. McLeish: That will be dealt with, but proper arrangements are in place for a contingency fund, which, as my hon. Friend suggests, is crucial. We operate that, within our financial arrangements. It is being, and will be, taken care of.

Dr. Norman A. Godman (Greenock and Inverclyde): Organisations in receipt of public funding will be anxious to ensure that the transitional period flows as smoothly as possible. I cite the example of the Caledonian McBrayne ferry company, which hopes soon to place a contract for the construction of a large vessel. It is important that those negotiations continue. My hon. Friend will not be surprised that I expect that contract to be placed with Ferguson's at Port Glasgow.

Mr. McLeish: I shall resist commenting on my hon. Friend's latter point, but a seamless transition to the new, Parliament is vital. It would be devastating if local authorities, health boards, trusts and other organisations felt that things could be disrupted. As I shall outline later, when the newly-elected Parliament is established, it will be able to examine the finances of the new office of the Scottish Executive. All political parties must accept that continuity is essential.

The Secretary of State will be required to prepare accounts for transactions that take place prior to devolution, and an identical obligation is placed on Scottish Ministers for the period after. Both sets of accounts are to be audited by the Comptroller and Auditor General. They will then be laid before this House and the Scottish Parliament respectively.

Subsequently, the Scottish Parliament will be required to legislate on the accounting arrangements—building, no doubt, on the financial issues advisory group's recommendations. However, we must set down accounting arrangements at this stage to ensure that accountability is guaranteed for the transitional phase. It is simply an added safeguard that if we have continuity of funding, we must also have continuity of accounting and proper auditing.

Mr. Dalyell: Both my hon. Friend the Minister and I have, at various times, been members of the Public Accounts Committee. What is the role of the CAG? Is it correct to say that he has oversight over all funds during this period?

Mr. McLeish: My hon. Friend is absolutely right. In an earlier debate in the House on what became the Scotland Act 1998, the Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden (Mr. Davis), made an excellent contribution and we adopted the points he made. There is unanimity in the House that the CAG must deal with the transitional year to allow continuity of purpose.

Because we are determined that public services should be accountable at all times, we have tasked the CAG with the audit of Scottish spending bodies until the Holyrood Parliament is in a position to implement effective arrangements of its own. Similar considerations apply to the examination of economy, efficiency and effectiveness. The CAG will retain responsibility for that task throughout the transitional year. In addition, the order enables him, if necessary, to complete those studies initiated during the transitional year that he has not finished at year end.

The question of accountability clearly does not end with the specification of suitable financial accounting and value-for-money arrangements. We also need to make more general provisions to ensure that Ministers and officials remain accountable until the Scottish Parliament has put its own arrangements in place. Therefore, the order requires the appointment of accounting officers for both pre-devolution and post-devolution periods.

Although much of the order rightly concentrates on matters associated with the use and management of the Scottish Consolidated Fund, it also makes arrangements to continue the payment of certain designated receipts into the UK Consolidated Fund. Those receipts mostly relate to fines and interest payments, and are currently paid into the UK Consolidated Fund. They do not form part of the Scottish Office budget. The order ensures that those arrangements continue. The majority of receipts are not subject to those special considerations and the order provides for those, in so far as they relate to functions that are or will be devolved, to be paid into the Scottish Consolidated Fund or, where necessary, appropriated in aid.

The final main provisions of the order are of a relatively technical nature. The order allows the continuation of the Registers of Scotland Trading Fund for the remainder of the transitional year. Thereafter, it will be for the Parliament to decide on the financial and control arrangements for that body. In addition, the order allows the payment of a salary to the Auditor General for Scotland, thus allowing the Parliament to fill the post quickly—I cannot emphasise the importance of that too strongly—so that the incumbent can get on with the necessary planning work and be in a position to take up his full duties on 1 April 2000.

Mr. Dennis Canavan (Falkirk, West): The statutory instrument entitled Constitutional Law Devolution, Scotland refers to certain financial arrangements regarding national health service trusts. Under the current Administration, there appears to be some reluctance, on spurious grounds of commercial confidentiality, to reveal the receipts coming in from the sale of NHS buildings. Will the Scottish Administration, accountable to the Scottish Parliament, be able to divulge such important information to Members of the Scottish Parliament, or will there still be control exerted from Westminster on the spurious grounds of commercial confidentiality?

Mr. McLeish: My hon. Friend raises two issues, the first of which is commercial confidentiality; that is unaffected by the provisions of the order for the auditing, accounting or the work of the Scottish Parliament and the new Executive. The second issue is that of control in Scotland. We are transferring to Scotland, as a devolved responsibility, the health service in Scotland. In the transitional year, the CAG will be involved, as he is at present; however, after April 2000, it will be fully a matter for the Scottish Parliament, the Scottish Executive and the people of Scotland in their entirety.

The order caters for the possibility that it may be necessary to make contingency payments from the fund during the transitional year—a point raised by my hon. Friend the Member for Linlithgow (Mr. Dalyell). Here, too, the order builds on existing procedures and the effect is broadly similar to that of the Contingencies Fund Act 1974. As a result, there will be clear limits to payments that may be made by Scottish Ministers. Hon. Members may wish to note that the requirements for reporting any contingency spending during the transitional year to the Scottish Parliament are particularly rigorous.

The appropriation order is, in effect, the main estimate for the programmes which will, until 1 July, be the responsibility of the Secretary of State for Scotland, and which will thereafter fall to the Scottish Executive. The order provides a statutory basis for spending money. Without it, no spending could take place in 1999–2000—at least until the Scottish Parliament legislated to permit the appropriation of resources from the Scottish Consolidated Fund.

Traditionally, of course, the estimates of the Scottish Office have been considered by this House as part of the United Kingdom's main estimates. We have had to take a different approach this year because, in order to ensure

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continuity and a seamless transition of responsibility, all Scottish appropriations in 1999–2000—both pre-devolution and post devolution—will be made from the Scottish, rather than the UK, Consolidated Fund. As part of this overall process, the Scottish Consolidated Fund will be established with effect from 1 April. In most other respects, however, the procedure adopted for this year is similar to that followed in the past.

The appropriation order sets out the ambit of each of the Scottish votes and the aggregate amount of spending permitted under each vote. The separate estimates booklet, which has been available to hon. Members since last week, sets out in more detail the spending plans in respect of each vote. The votes largely replicate existing Scottish Office votes. However, hon. Members will wish to note that, in anticipation of devolution, a number of additional votes have been included, specifically covering the Forestry Commission, which is Scotland vote 10, and the Scottish Parliament, vote 12.

As I have said, one of our primary objectives has been to avoid constraining the Parliament's ability to allocate resources as it wishes. In practice, many resources must be committed from the start of the year in order to allow organisations such as local authorities, health trusts, and so on, to establish their annual budget. Subject to those constraints, it will remain open to the Scottish Parliament, if it wishes, to revisit the allocations in the order later in the year, and to approve further supplementary appropriation orders as necessary.

I acknowledge that there is a difficult balance to be struck between maintaining continuity and appropriate forward planning on one hand, and allowing the Parliament freedom to make its own decisions on the other. I think that the process that we have adopted is reasonable, and succeeds in meeting the main objectives that I have described. It has allowed local authorities, and the like, to draw up their budgets for 1999–2000, and it allows the Scottish Parliament to revisit the proposed allocations later in the year, but above all, it provides a springboard for full and effective financial devolution for the future. These orders are an integral and critical part of the transition to the devolved Scottish Parliament, and I commend them to the House.

5.58 pm

Mr. Oliver Letwin (West Dorset): We on the Conservative Benches obviously have no objection to the idea of an order which provides for continuity. That is inevitable. Indeed, I ought to add a slight note of thanks and congratulations because we are at least debating these orders on the Floor of the House, as is proper. I hope that the Minister will see fit to recommend to his colleagues in the Welsh Office that similar debates—possibly line-by-line debates—should be held for orders on the transfer of functions to the Welsh Assembly, which many in the House, including some on the Government Benches, would welcome.

The first order is not unique; it is not even one of a few that the House considers in a year. These days, we consider about 3,000 statutory instruments a year. It is at least helpful to look at some of them in some detail. I want to remark particularly on what the order, unobjectionable as it is in its content and substance, teaches us about constitutional law and our constitution.

The order is remarkable in various respects. In the first place, it transfers certain authorities and obligations from one set of people to another. Given that we are discussing the creation of a Scottish Parliament by an Act of this Parliament, it might have been thought that the two sets of people involved would be the Members of the two Parliaments, but of course that is not so. The order transfers certain authorities and obligations from one set of Ministers to another set of Ministers. That is not because a mistake has been made; on the contrary, it is because the order is correctly drafted and accurately reflects the current status of our constitution.

Parliaments are not much involved, before or after the order takes effect, in the details of appropriations. This Parliament considers the bulk of taxation of Scotland and will continue to do so. We do that in great detail in considering Finance Bills. We also have elaborate mechanisms for dealing with efficiency and value for money. We are grateful to the Minister for correctly pointing out that the Government have acceded to the reasoned request of the Chairman of the Public Accounts Committee that there should be Comptroller and Auditor General oversight in the transitional period.

I hope that the Minister will change his mind and take the opportunity to do what the Under-Secretary of State for Scotland, the hon. Member for Western Isles (Mr. Macdonald), has repeatedly refused to do and seek to instate PAC, National Audit Office or CAG oversight for expenditure in Scotland that is borne, and will continue for the foreseeable future to be borne, at least in part, by moneys raised from English taxpayers. Otherwise, as my hon. Friends and I have repeatedly said, another form of the West Lothian question will be unconsciously and improperly generated.

Dr. Godman: Although the hon. Gentleman and I were not present at the time, I think that I am right in saying that the House did not seek to scrutinise expenditure in the Northern Ireland Assembly when Stormont was set up. Is that not the case?

Mr. Letwin: I do not know whether the House sought to do that, but I have checked whether it did, and the hon. Gentleman is right to imply that it did not. However, the mistakes of the past do not justify those of the present. I earnestly beg Ministers to consider whether it would not be to the advantage of the whole Union—Scotland, as well as England and Wales—if there were oversight of efficiency.

Mr. McLeish: I may be in danger of confusing two issues. If the debate is whether devolution leaves taxation at Westminster, that is accepted and is part of the settlement.

The second point is that we are dealing in this debate with the transition year. I could have spoken at length about what will happen in Scotland in the run-up to April 2000 and beyond in relation to the auditor general for Scotland, who will have to be appointed, the equivalent of the Public Accounts Committee, which will be established within the Parliament, and all the detailed accounting procedures. The hon. Gentleman will remember that, in a previous debate, I said that my aspiration was that we should improve on the position at Westminster so that every pound that is spent in Scotland is subjected to the most robust and rigorous examination.

Mr. Letwin: Yes, I am aware of that. The Minister is right to say that huge steps have been taken to ensure that there are proper accounting procedures in the Scottish Parliament, and I have no doubt that they will be proper. Unfortunately, he is too busy to read *Hansard*'s report of minor debates between his colleagues and ourselves. However, the Under-Secretary will verify, if the Minister asks him, that we have already specifically made the point that the existence of good accounting procedures in the Scottish Parliament and the fact that, during the transition period, those procedures will be available through the CAG and other agencies here—as the order properly states—does not prevent the problem of there being English and Welsh taxpayers who are, in part, funding expenditure under the Scottish Parliament. They will find themselves without a means in this Parliament of exerting any scrutiny over the best value of that expenditure.

The critical point is that although the Scottish Parliament will have accounting procedures, it may be believed, however erroneously, by taxpayers in the UK, not to have the incentive sufficiently to engage in that scrutiny because it is not raising the tax. I am asserting not that that will be the case, but that there is a danger of such a perception. It would be in the interests of the whole Union, Scotland included, if that were put to rest.

Dr. Godman: I am grateful to the hon. Gentleman for his courtesy. Do he and his colleagues hold identical reservations in relation to the Northern Ireland Assembly and the departments that will be created there?

Mr. Letwin: Yes.

Mr. Alex Salmond (Banff and Buchan): Has the hon. Gentleman read the "Declaration of Hamden" in which the Scottish Conservatives said recently that they were more autonomous than other political parties in Scotland, and accused the Labour party of being control freaks from London? Has the control freakery being displayed by the hon. Gentleman been cleared with Mr. David McLetchie, as it seems to ca' the feet from the "Declaration of Hamden"?

Mr. Letwin: I am grateful to the hon. Gentleman, as always, for teaching me lessons about politics, particularly Conservative politics. This is not a point about control freakery or, in the end, a point about Scotland. This is a point about the possible reaction of English electors. It has been the constant pursuit of the hon. Member for Linlithgow (Mr. Dalyell), who used to be the hon. Member for West Lothian, to ensure that our arrangements do not unnecessarily precipitate tensions in the Union. I beg the Minister to attend to that matter.

Mr. Malcolm Savidge (Aberdeen, North) *rose—*

Mr. Michael Connarty (Falkirk, East) *rose—*

Mr. Letwin: No, I will not take further interventions, as I want to move on to my main point. Very well, I give way.

Mr. Connarty: I do not understand how the hon. Gentleman can say that he does not want any measure to be enacted by Parliament that would generate tensions, when he is clearly attempting from the Dispatch Box to drive wedges, not just between the people of England and of Scotland, but between the Conservative party in the House and the Conservative party in Scotland.

Mr. Deputy Speaker: Order. Before the hon. Gentleman responds to that, may I remind him and the House that we are discussing the transitional arrangements. Remarks ought to be confined to that.

Mr. Letwin: I am amazed at your patience, Mr. Deputy Speaker, and at the fact that you have not reminded us of that before. I was trying to move on to my main point, but I thought that I should give way to the hon. Gentleman—perhaps mistakenly.

I am by no means trying to stoke up tensions. As a profound Unionist, I genuinely believe that there is much to be gained from trying to placate those feelings. I shall leave it at that.

What is revealed in this set of orders—in particular in what the Minister calls the finance order, but perhaps more clearly in the appropriations order—is the extraordinary state of our constitution. That is no fault of the Minister or his Government. It has been the case for years.

Betwixt the two extremes—tax, which we vet seriously, and efficiency and value for money, which we vet seriously through the CAG and PAC, notwithstanding my remarks about the Scottish Parliament—lie appropriations. In some Parliaments or the equivalent—for example, in the United States—appropriations are taken seriously. There are appropriations committees which look seriously into what is being appropriated and what the money is to be spent on. They debate the measures arduously, line by line, over many weeks. The equivalent of our Ministers pay great attention to that. The Government agencies spend an enormous amount of time trying to find out whether their proposed expenditure will be approved by Senate and House committees.

If we inspect the appropriations order, which follows the traditional pattern, we find vast sums described in the most general terms, as is traditional in our practice. The sums are staggering. In total, we are dealing with some £14 billion worth, as I think the Minister will confirm.

The description in article 2 on page 3 shows expenditure by the Secretary of State for Scotland and the Scottish Ministers on market support, agriculture in special areas including crofting, structural measures, compensation to sheep producers and animal health, agricultural education, advisory, research and development services, botanical and scientific services—I shall not bore the House by reading the whole list.

It is an enormous, amorphous collection—all, undoubtedly, marvellous stuff—but no one in the House has the slightest idea what the money is going on. Nor is it intended that we should have such an idea, because this is a set of appropriations that follows the grand tradition of very broad, very general approvals.

Mr. McLeish: There are always two arguments about any particular point. In a sense, that confirms the need, and the reason, for a devolved settlement for Scotland, for Wales and for Northern Ireland and for a voice

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for London. The hon. Gentleman is absolutely right: appropriations are crucial, because it is someone else's money that we are spending.

No one in the Chamber is responsible for the fact that we have little time for the debate, but that confirms that a Scottish Parliament with powerful appropriations and control procedures will be taken seriously on the question of budgeting and finance. There will be a powerful role for the Parliament vis-à-vis the new Executive. Does not the hon. Gentleman agree that that is a reason for devolution, not for holding it back?

Mr. Deputy Speaker: Order. I do not want the debate to widen any further. That is what it is starting to do, so will the hon. Gentleman please confine his remarks to the matter before us?

Mr. Letwin: Yes, Mr. Deputy Speaker, but I shall respond briefly to the Minister.

This is not a question about devolution, either way. I welcome, of course, the Minister's remarks about the way that the Scottish Parliament, following the transitional orders, will go about the business of appropriation. If the Parliament establishes such procedures, that will be a constitutional advance. I am arguing that, as the order shows us clearly, we in this House also need to adopt such procedures.

We do not currently have such procedures. The order is one of the most remarkable and unusual testimonies to that, because we do not frequently consider such orders. We do not have to consider them, because we do not normally have the need, which has been occasioned by the creation of the Scottish Parliament. The annual estimates that come before us fulfil exactly no purpose whatever, as everyone knows perfectly well what will be the outcome and no one does any serious investigation.

Mr. John McAllion (Dundee, East): Does the hon. Gentleman agree that it is marvellous how the Scottish Parliament, even before it has been established, is already teaching lessons to this place, about how it should go about conducting its business?

Mr. Letwin: The hon. Gentleman deserves a lollipop for an ingenious point. I very much hope that he is right. We shall see, but if the Scottish Parliament is teaching us lessons, let us learn them.

I want to make a particular point in respect of paragraph 2 of the finance order. Paragraph 2(2) on page 4 contains a remarkable constitutional point. I do not know whether I have correctly understood it. I have asked someone learned in the law about it, and I have received a not entirely clear answer. I hope that the Minister will be able to clear up this matter in his closing remarks. Paragraph 2(2) states:

> "If any question arises . . . as to whether or to what extent a function of the Secretary of State is a relevant function for the purposes of this Order that question shall"—

this is the bit that I am concerned with—

> "be determined by the Secretary of State, and his determination shall be final and conclusive."

In other words, the order tells us that the question "whether" something should be done by the Secretary of State will be determined by the Secretary of State, and he will be the final arbiter. That strikes me as an odd provision, constitutionally speaking. I do not know whether the provision has good precedent; it probably has, or it would not appear in the order. If it has, perhaps we should be examining that precedent. It seems odd that such a judgment could be made and not be open to any kind of scrutiny or appeal.

I refer to paragraph 3, Mr. Deputy Speaker. I hope that you will give me due credit for being precisely on the topic of the order. In sub-paragraphs (2) and (3) of paragraph 3 there is what appears to be an extraordinary outcome. In sub-paragraph (2) we are told:

> "A provision of any enactment which requires or authorises the payment of any sum into the Consolidated Fund shall have effect in relation to any relevant function as if it required or authorised that sum to be paid into the Fund instead."

In sub-paragraph (3) we are told:

> "Paragraph (2) . . . is subject to any other provision made by or under this Order, or any other subordinate legislation"

under a certain section.

The combined effect of those two sub-paragraphs appears to be that the direction of moneys—which, before one looks at the order, seems to be determined by the order—will be subject to being redetermined by "any other subordinate legislation", under a certain section. That is extraordinary, is it not? It may be normal, but we do not know.

The situation in Scotland has again occasioned a provision that is not normal. It is strange if it is a feature of our constitutional arrangements that it is perfectly proper and appropriate for the House to consider an order that directs matters in a certain way, and for that order to provide that in other orders those adjudications can automatically be reversed. I should be grateful if the Minister could illuminate that point.

That is all the Opposition want to say about this subject. We accept that the order is needed, and that it does its job. We regret that it is in a constitutional context that gives rise to some real problems. The Minister may not be able to address all this today, but I hope that he will give us some earnest of the Government's intention to do so. I hope that he will clarify these detailed points.

6.16 pm

Dr. Norman A. Godman (Greenock and Inverclyde): I promise to be brief, Mr. Deputy Speaker.

The criticisms offered by the hon. Member for West Dorset (Mr. Letwin) are shaped by his deep distaste for the process of political devolution. These measures are necessary and inevitable for the restructuring of the United Kingdom—or what my hon. Friend the Member for Linlithgow (Mr. Dalyell) would call the unravelling of the United Kingdom. Identical measures are being dealt with for the Northern Ireland Assembly.

It is essential that the transitional period is as smooth as possible. Public authorities are involved in the transitional period, but various voluntary organisations are also, to some extent, financed by the Scottish Office. Concerns have been expressed about the Executive working alongside Ministers during the transitional period. Incidentally, I have never liked the title "First Minister": I think it should be "Premier of Scotland" and "Premier of Northern Ireland", but that is another story.

Voluntary organisations are concerned about their place in the scheme of things. I look to my hon. Friend the Minister for Home Affairs and Devolution, Scottish Office to offer them, on the record, a reassurance that they have not been overlooked. The documents refer to local authorities and other public bodies. Voluntary organisations receive a trifling sum from the Scottish Office. For example, the Scottish Refugee Council is assisted by the Scottish Office and local authorities. I am anxious that the Minister should deal with that point.

Similarly, a number of public bodies are coming together to develop an integrated public transport system, and if negotiations are taking place in the transitional period, fears may be voiced and we may be told that it is necessary to hold off and delay things until the Ministers at Holyrood are able to make decisions.

I do not want to sound parochial, but we hope that the waterfront development in Gourock will take place. *[Interruption.]* I shall not comment on the unavoidable absence of the hon. Member for West Dorset, because he was away for only 30 seconds. Developments are being discussed and decisions will have to be taken in the next 12 months, so it is important to have these assurances.

I was about to give an example from my constituency—the Gourock waterfront development. The Minister was in my constituency recently, and he made an eloquent speech about the introduction of closed-circuit television. I hope that in the near future, he will make an equally crisp statement about the Gourock waterfront development, saying that it is going ahead.

There is an important issue here. A number of authorities and other bodies are getting together to make life much less burdensome for those whom we represent in the House of Commons, and during the transitional period it is essential for there to be no hiccups. Another example is the development—I hope—of the ferry terminal at Port Glasgow. Again, a number of organisations are involved in discussions about the project.

We hope to see, in Cardiff, Belfast and Edinburgh, a smooth handover to the Ministers who will take over.

I promised to be brief. Let me end by saying that I, for one, have full confidence and trust in the candidates for the Holyrood Parliament. I know of one woman councillor who is currently the convener of a social work committee that has some £194 million to disburse. Elected representatives of that kind are as able and competent as any MP when it comes to ensuring that public funds are used in a truly honest, open and honourable way.

6.22 pm

Mr. Donald Gorrie (Edinburgh, West): We support the orders, which, unlike the orders that we debated earlier, are very welcome.

The hon. Member for Falkirk, West (Mr. Canavan) raised an important issue. I feel that both the Scottish Parliament and this Parliament should be able to do more probing into the finances of quangos, health boards and other bodies. That part of the state apparatus is not being properly scrutinised.

The hon. Member for West Dorset (Mr. Letwin), as usual, raised the temperature of all devolutionary Scots—but, in accordance with your ruling, Mr. Deputy Speaker, I will not pursue that. For a minute or two, however, intelligence broke through the fog, and the hon. Gentleman seemed to advocate an outbreak of democracy in the House. He seemed to suggest that we might start to scrutinise expenditure much more carefully. That is an admirable suggestion, and I hope that the hon. Gentleman will be able to persuade his party of his case.

The Minister tried to describe the necessary balance between freedom for the Scottish Parliament and continuity. What he said was fair. We certainly support the idea of continuity, even if it slightly delays changes that the Scottish Parliament may wish to make. I say that as one who, if fortunate enough to be elected to the Scottish Parliament, is more likely to rock the boat than the Minister is. I think that a proper transition is desirable, and that continuity is important; and I think that is possible under the orders.

As we usually do—and as other hon. Members doubtless do—we passed the orders to intelligent people in the hope that professional nitpickers might find mistakes, but they could not, so I have to assume that the orders are all right. But the suspicious tendency, to which I belong, is slightly worried whenever it sees the word "Treasury". Will the Minister assure me that there is nothing sinister in paragraph 8(4) of the finance order? It states:

> "In the period ending immediately before the principal appointed day, the Secretary of State shall make payments into the Consolidated Fund, at such times and by such methods as the Treasury may from time to time determine".

Will the Minister assure me that there is nothing sinister in that, and that the Treasury will not do us down in some way?

The Minister and his team are to be congratulated on what strikes me as an intelligent solution to the problems, and I am happy to support them.

6.25 pm

Mr. Michael Connarty (Falkirk, East) *rose*—

Mr. Deputy Speaker: I call Mr. Michael Clapham. *[Interruption.]* Mr. Michael Connarty.

Mr. Connarty: We seem to have that confusion; I have commented on it before. As my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) is a very astute and thorough representative of the mining communities, I am happy to take his mantle on. I think that he was the person who was behind much of the campaign that won compensation for miners for vibration white finger injury. Therefore, I am happy to be associated with him, although he may not say the same about me.

The reason why I want to speak on the order is that, sadly, it has been treated as a dry subject. The way the order is set out in its first page may seem dry, but, when I went with the British American Parliamentary Group to the induction week for the Congress in 1992, I was struck by the fact that practically the whole week was spent teaching Congress the importance of debating policy in the context of budgets—not as wild gestures and political emotions, but in terms of how we spent other people's money, as the Minister called it, on services. There is no doubt that that approach has led to the budget surpluses and to the turnaround in the United States economy under the Democrat Government.

[Mr. Connarty]

I hope that the Scottish Parliament will take the debates on the budgets seriously and line by line, and will not send them off to a Committee, where a few Members will become very knowledgeable and most Members will know just about the wild gestures. The order is about a real fund—as was said, £14 billion; in fact, the figure is £14,038,349,000. That is to be allocated to Scotland in the transitional budget for the next year. That is a substantial sum. It is backed with real money.

I had hoped—perhaps I can tempt the hon. Member for Banff and Buchan (Mr. Salmond) while I am speaking—to take issue with some of the Opposition figures for the budget, should they ever wrench Scotland away from the safety and security of the partnership with the rest of the United Kingdom. I was fascinated to read in press releases on Professor Kemp's analysis of how much money would come to Scotland from oil that the leader of the Scottish National party, the hon. Member for Banff and Buchan, had said that the average barrel price would be $18 up to 2003; it is $10 a barrel now. That would give Scotland £11 billion.

The hon. Member for North Tayside (Mr. Swinney) said more realistically that he accepted that the barrel price is not likely to rise to $14 a barrel until about 2001. A total of £6 billion would then come from oil, so there is a £5 billion deficit there—under the figures put forward by two members of the SNP, £5 billion would be missing from any fund available to Scotland. They may have sorted the dispute out since then.

Mr. Salmond: I am considerably tempted. It was actually Professor Kemp who said that he thought $18 a barrel was likely by 2003.

Mr. Connarty *rose—*

Mr. Deputy Speaker: Order. I am treating the hon. Gentleman's remarks as a brief preamble. I assume that he will come to the matter before the House directly.

Mr. Connarty: I take that admonition, but I was attempting to talk about the order, which is real money. We have to get it over to the people of Scotland that, in the transitional arrangements, the Government have set aside real money for Scottish services and those services will benefit by us doing that. That is set out in an order that will go for approval by the House and then be handed, by the arrangements, to the Scottish Parliament to deal with in detail.

When we put to the people the efforts of the Government, we must, with a little leeway from you, Mr. Deputy Speaker, compare them with those of others who have put forward other budgets, based on fantasy figures. We have the real figures. It is real money. It is real appropriations of real money for real services. That is what I want to talk about mainly—not the detail of the arrangements, which the Minister set out soundly, but the figures behind those arrangements: the £14 billion; the £2,478 million for education.

I live partly in an educational world. I am a former teacher, I am constantly in touch with members of my former profession and I am married to someone in a senior position in education. A lot of my conversations, if they are not about politics and Parliament, are about education. The money that we are talking about will fund many important schemes for the future of Scottish children.

Last week, the Government announced £112 million of funding to give 60 per cent. of three-year-olds in Scotland the chance of a nursery place. Most four-year-olds whose parents want a nursery place for them have one. Early intervention is not just funded, but worked out properly. There will be 5,000 classroom assistants to enable the teachers to teach better and work better with children. That is what the £2.5 billion in the fund is for. It is about delivering real services for Scottish people—not political argument, but backing up our promises with schemes that are worked out well, usually in co-operation and harmony with the teaching profession and the educators, believe it or not. That is not how the issues are whipped up by the press, with stories about conflict, bullying and a big brother approach. We are developing education policies around the table and funding them. I have heard it said, even in the closed circles of the Educational Institute of Scotland, that Scottish education is awash with money. We must realise that that is what the fund means for Scottish education.

The local government aspects of the fund for revenue support grants have been debated in detail, but there are some items worth commenting on. The £5.746 billion for general services includes funding for most of the rail services in Scotland. In the order of merit of delivery of service, Scotrail is at the top of the list for the United Kingdom. That is due not just to the efforts of Scotrail, but the co-operation with the Government and the funding from the Government that allows services to be maintained at a high level.

Urban regeneration initiatives are also mentioned. The millennium canal link is a project close to my heart. The project to open the canal from the Forth to the Clyde is receiving £78 million of lottery funding, but it will also require substantial local authority and Government support to make it one of our prime millennium tasks. That could create thousands of jobs for people in the catering, hotel and hospitality industry. It will be a boon to towns such as Grangemouth and Falkirk, and other places all the way to the Glasgow constituency of my right hon. Friend the Secretary of State. Those projects are what the Consolidated Fund is about.

The health service will also have a substantial input from the fund. There is more than £4 billion of new money to be spent in Scotland over three years. The Consolidated Fund will be the beginning of that.

We should commend the fact that the issues have been set down and hope that others will take them up in the right spirit. They should not nitpick and play with niceties and constitutional issues. The Scottish people are not interested in that any more. They have had constitutional detail thrown at them until they are sick of it. They have voted for devolution. They know that there will be a transitional period. They know that the Government have to put transitional arrangements into operation. Anyone who tries to have a pop at little transitional constitutional matters will not get a hearing from the Scottish people, who want to know what will be delivered, not the mechanisms or the little details. Those are the responsibility of Ministers here and will be the responsibility of the Executive when the Scottish

Parliament is up and running. I hope that people will look at the figures and consider what the funds will mean for the national health service and the education service.

It is right that we should put in place a mechanism to ensure that there are no hitches or glitches. The people should be confident that their representatives in the Scottish Parliament will spend the money, and that it will be there when they need to draw on it and will not fall foul of any technical mistakes.

I commend my hon. Friend the Minister for bringing the motions to the Floor of the House. I hope that this is the beginning of many debates in the Scottish Parliament—which I think that the people will want to listen to—on how to spend the money allocated to it, rather than on nitpicking little constitutional issues.

6.34 pm

Mr. Alex Salmond (Banff and Buchan): I sympathised with the Minister when the hon. Member for Edinburgh, West (Mr. Gorrie) asked him for an assurance that the Treasury would not try to do us down as, by definition that is what the Treasury is about.

I am grateful to the hon. Member for West Dorset (Mr. Letwin). I have waited 12 years to use the phrase "ca' the feet", and he finally gave me the opportunity by undermining the Hamden declaration of the Scottish Conservatives. Listening to his argument, I became increasingly concerned that, as a Scottish taxpayer, my taxes were not receiving proper scrutiny in the House as he blithely told us that billions of pounds of expenditure went unexamined. I wonder whether we should propose that a Committee of the Scottish Parliament should scrutinise the expenditure of this House. If the hon. Member for West Dorset made that proposal, perhaps he would bring himself back into line with Mr. David McLechie and the arguments that he is making north of the border.

The orders are basically uncontroversial. The first deals with transitional arrangements that nobody would dispute seriously. The hon. Member for Falkirk, East (Mr. Connarty) said that we should look at the reality behind some of the spending figures in the year covered by the transitional arrangements. The order illustrates the extent of the Barnett squeeze on Scottish public spending.

The hon. Member for Falkirk, East wanted to talk about health spending. The figures show that the increase in health spending in Scotland will be 3.4 per cent. compared with a real-terms increase of 5.2 per cent. in England. The following year, the increase will be 3.3 per cent. in Scotland and 4.5 per cent. in England. That illustrates the impact of the Barnett formula, which once was benign in respect of Scottish spending.

The changes that were made first by Michael Portillo when he was Chief Secretary and later by the current Secretary of State for Social Security mean that the Barnett formula will squeeze spending in Scotland during the first Scottish Parliament. It is quite clear that the real-terms increase will be much less for all major Departments in Scotland than for the same Departments south of the border. Over the period of the comprehensive spending review the cumulative effect on the health service will be a loss of some £387 million. I hope that satisfies the wish of the hon. Member for Falkirk, East to discuss real money affecting real services, as the new Scottish Parliament will face an immediate real-terms squeeze on spending.

Mr. Connarty: Will the hon. Gentleman's proposals for the Scottish Parliament include using the 3p available in tartan tax? Will the SNP tax the Scottish people?

Mr. Deputy Speaker: Order. Before the hon. Gentleman responds to that intervention, I remind him that we are debating the transitional arrangements. He should confine his remarks to that subject.

Mr. Salmond: I can assure you, Mr. Deputy Speaker, that I shall not be tempted out of order by that intervention. Certainly any hon. Member who could not tell me the excise duty for this year cannot seriously expect me to answer a question relating to the year after next.

I have a question about the second order that I hope the Minister will answer in some detail. The order transfers the receipts of the Scottish Secretary to either the Scottish Consolidated Fund or the UK Consolidated Fund. Articles 3 and 5 set out the basic principles for that.

Moneys being transferred to the Scottish Consolidated Fund include prescription and dental charges amounting to £76 million, tolls and transport receipts worth £24 million and administration receipts worth £8.7 million. However, courts, fines, penalties and forfeitures, which are worth some £23 million, are receipts to the Scottish Ministers which the order states they must transfer to the Scottish Secretary, who then passes them on to the UK Consolidated Fund. Why should those funds be treated differently?

I was struck by a comment by the Prime Minister in the *Sunday Herald* last Sunday about civil action that can be taken against drug dealers in Scotland. He said that any such money would not be stolen from the Scottish Exchequer.

The Secretary of State may shake his head, but that is what the Prime Minister said in an interview published last Sunday. If it is the case for civil fines, why should not fines imposed in the Scottish criminal courts come straight to the Scottish Consolidated Fund instead of being routed via the Secretary of State and the UK Consolidated Fund? That is an entirely reasonable question.

Suppose the Scottish Parliament wanted to increase fines for certain criminal offences—perhaps even for certain categories of drug dealers—why should not that decision have an impact on the Scottish Consolidated Fund? I understand that the Minister said that the £23 million involved was a drop in the bucket—according to the press, he suggested that it was a small sum in relation to the overall expenditure—but that amount could reduce primary school class sizes to under 30, abolish tuition fees for each year of the first term of the Parliament, put more policemen on the beat or reduce the backlogs in the courts and procurator fiscal offices.

The Scottish Parliament could take a decision on court penalties that would add to its receipts.

Mr. McLeish: A new tax.

Mr. Salmond: Is it a new tax to take a policy decision to increase the penalties imposed in Scottish courts? Why should such payments be routed through—

Mr. McLeish: Because that is what happens now.

Mr. Salmond: But we are entering a new phase in politics with the brave new Parliament. We must be prepared to look at things anew and try—*[Interruption.]*

Mr. Deputy Speaker: Order. We cannot have a debate conducted by hon. Members calling out from a sedentary position.

Mr. Salmond: I know that I should not be tempted by the Minister's sedentary interventions, but if we are moving into a new relationship, he should tell the House why such payments cannot go directly to the Scottish Consolidated Fund, as prescription and dental charges do.

The Secretary of State for Scotland (Mr. Donald Dewar): What happens to criminal fines imposed in courts in other parts of the United Kingdom?

Mr. Salmond: I have no idea. We are discussing orders that say that such fines should be paid into the Consolidated Fund of the UK Parliament and routed through the Secretary of State, instead of going directly to the Scottish Consolidated Fund. It is for Ministers to say why that is a reasonable position.

Mr. Dewar: I will.

Mr. Salmond: We shall see.

The Parliament will have control of a maximum of about 12 to 13 per cent. of its revenue sources, and the rest will come via the Consolidated Fund in the form of a block grant. That gives small room for fiscal manoeuvre—only slightly more than Scottish local government has now—so it is entirely reasonable to ask why we should not increase that room for manoeuvre if the orders give us the opportunity to do so.

In an answer to my hon. Friend the Member for Perth (Ms Cunningham) late last year, the Home Secretary said that work was in train to identify areas where it might be appropriate to effect a transfer of funds from UK Departments into the programmes of the Scottish Executive. He said that he would make a statement in the *Official Report* when the work was completed. When will that promised statement be made; and what work is being done to consider how funding could be transferred directly into the Scottish Consolidated Fund for matters that will be the responsibility of the Scottish Parliament but are currently dealt with by UK Departments?

Dr. Godman: Does the hon. Gentleman agree that the period of transition will enable members of voluntary organisations and community groups to familiarise themselves with the lobbying of a Scottish Parliament and to become adept at dealing with its Members? That is one fine consequence of the transitional system.

Mr. Salmond: A transitional period is necessary to give certainty and assurance to the funding in the first year of the Parliament, and voluntary organisations in Scotland are certainly among those who will be looking closely at the transitional period. Voluntary organisations—and the lobbying network for the Scottish Parliament that is proceeding apace across the voluntary sector—will be an important part of the democratic process—almost as important as the new scrutiny of the funding provisions for the Scottish Parliament itself.

The measures are necessary, but it is fair, reasonable and perfectly within my entitlement to ask what I see as a legitimate question. Why are some fines, penalties and fund-raising going through the UK Consolidated Fund, and not through the Scottish Consolidated Fund?

6.46 pm

Mr. Letwin: With leave of the House, Mr. Deputy Speaker: I had anticipated that Labour Members would want to contribute in great numbers to the completion of the debate, but it does not seem to be so.

The debate has been constructive in two respects. First, there was agreement from the Liberal Democrats that there is a deficiency in the way in which this Parliament goes about its inspection of appropriations, and it is altogether admirable that there should be that degree of consensus. I hope that the Minister will tell us that the Government share that view, and that the orders bring to light—through no fault of the Government—a serious problem with our arrangements. I hope that the Minister will be able to tell us that the Scottish Parliament will put in hand arrangements so that its organs can enable it to inspect in minute detail appropriations, rather than merely looking vaguely at estimates.

If that is the case, the Scottish Parliament will be able to teach us a lesson—as has been mentioned by Labour Members—and we will welcome that. The hon. Member for Banff and Buchan (Mr. Salmond) and others have been determined to portray these remarks about the character of our constitution as if they were, in some bizarre way, an attack on the Scottish Parliament. They are nothing of the kind—they are not intended to be, and they are not in practice. If the Scottish Parliament develops more elaborate and better designed mechanisms than our own, we will welcome it, and we will be happy to learn from it. However, the fact of the Scottish Parliament doing that does not remove the need for us to do so. I hope that the Minister will tell us that he is in favour of that.

Secondly, there has been an interesting exchange between Labour Members and the hon. Member for Banff and Buchan. We were told—much as in the previous debate on local government finance—that this was a magnificent array of expenditure that would solve every problem, and should be welcomed on that basis. Immediately, the lie was given to that, with the hon. Member for Banff and Buchan telling us that the amounts are far too small.

The order should not be taken as a pretext for claiming that things are either better or worse than previously. It has no effect on the amounts of money involved—it merely transfers them from one pocket to another. It would be sensible if the House considered seriously the constitutional points, and did not argue, in the banter of party politics, about whether the amount of money—the very same amount that would have been involved anyway—was a good or bad amount. That is not the substance of the orders.

Mr. Connarty: I hope that the hon. Gentleman is not trying to dismiss the change that has come about in the financing of Scottish services since the comprehensive spending review allocated the money that is now contained in this transitional order. I hope that he is not going to try to portray anything that I said as meaning that the order is wonderful and will solve all problems. I hope that he accepts that, for the Scottish people, the damage done by the previous Conservative Government will not be undone except by a decade of such expenditure and effort. That is why there are no hon. Members representing Scottish constituencies on the Conservative Benches.

Mr. Letwin: I rather regret having given way to the hon. Gentleman, because he continued the party political dialogue that I was trying to avoid. The previous discussion of the local government finance settlement made it clear that the Government's current plans—their present intentions as well the previous ones—are no more generous to Scottish local government. Neither does this transitional order resolve matters. I agree that the order will not create great riches. It is not a spending measure but a transferring measure.

Finally, I hope that the Minister will be able to give us an answer this evening to the question that I posed earlier. The question is not intended to be an accusation, nor is it an attack on devolution, but will the Government take account of the genuine problems that will arise in England as a result of this House's failure to make arrangements to scrutinise expenditure?

Mr. Savidge: As my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) noted earlier, such a supervision arrangement was not made for Northern Ireland. Moreover, it was never introduced for local government anywhere in the British isles, for which between 80 and 85 per cent. of funding comes from central Government, as was made clear in the previous debate. Does the hon. Gentleman accept that what he is saying conveys an impression of patronising distrust of the Scots?

Mr. Deputy Speaker: Order. We are now getting very wide of the matter before the House. I should be grateful if the hon. Gentleman did not respond.

Mr. Letwin: As I am prevented from responding, I shall not do so. I regret having given such an impression: it was not my intention.

I hope that the Minister will answer my earlier question, and also clarify the detailed points that have been raised about the order, including the rather interesting point made by Liberal Democrat Members.

6.52 pm

Mr. McLeish: With the leave of the House, I should like to respond to the debate.

We have made it clear that the Government take very seriously the proper scrutiny, accounting and auditing of money. Our aspiration is that the Scottish Parliament will build on the excellent work of the Public Accounts Committee at Westminster, and of the Comptroller and Auditor General. However, we can do better: that is what politics is all about, and that is my response to Opposition questions on that point.

The hon. Member for West Dorset (Mr. Letwin) said that the appropriation order dealt only in vast sums. I think that he was making a wider political point, but I can tell him that the Estimates booklet that accompanies the great headline information contains more detailed votes, sections and subheads.

The hon. Member for West Dorset also asked about appropriation procedures; the phrase that he used was that Parliaments "don't get a look in". However, it is up to the Parliament to decide how such procedures operate. We want the Scottish Parliament to be given significant powers and resources by the Executive to carry out the scrutiny procedure. There is a built-in assurance, therefore, that the Scottish Parliament will be able to monitor very effectively the sums of money at its disposal.

The big incentive that the Scottish Parliament will have to monitor finance properly is that we will be working on a fixed budget. Every pound spent must matter in every community in Scotland. If there are different priorities for which we want to raise cash, we will have to shift resources within a budget of priorities. Pursuing a public policy of that sort would be an enormous incentive to any serious Parliament.

The hon. Member for West Dorset also asked about the provision, in paragraph 2(2), for determination by the Secretary of State. I can tell him that the provision has force only in the period from 1 April to 30 June, when the Secretary of State is spending money out of the Scottish Consolidated Fund. It does not allow the Secretary of State to spend money that has not been properly appropriated, or for a purpose for which the money has not been appropriated. The Secretary of State will have to account for expenditure, and the accounts will be audited by the Comptroller and Auditor General. The Secretary of State will, of course, be accountable to the House.

Similarly, in paragraph 3(2), the other subordinate legislation under section 129(1) is indeed the appropriation order. The procedure is similar to that in section 64(4) of the Scotland Act 1998, which will replace paragraph 3(2) after 1 July. It also follows the procedures of the House: money payable into the Consolidated Fund is appropriated in aid of votes under the Public Accounts and Charges Act 1891. I hope that that technical response allays the hon. Gentleman's concerns.

The hon. Member for Edinburgh, West (Mr. Gorrie) referred to the Treasury, and to paragraph 8. Its words are the same as those in section 64(6) of the 1998 Act. The provision applies to money that will be surrendered to the United Kingdom Consolidated Fund, and it is right that that should remain in the control of the Treasury. It applies only to the timing and the handing over of receipts that firmly belong in the cash flow through the Scottish Consolidated Fund.

My hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) wanted reassurance about continuity. I can give him that reassurance. It is vital that voluntary organisations, local authorities, trusts and other bodies in Scotland should not be disrupted because of the historic events in Scotland.

[Mr. McLeish]

The hon. Member for Banff and Buchan (Mr. Salmond) raised points about the Labour Government's injection of help for health and welfare in Scotland. There will be £1.8 billion over the next three years. Even if the hon. Gentleman wants to nitpick, he cannot get away from the fact that that is substantial investment in health care in Scotland. It ill behoves the Scottish Nationalist party to compare matters with those in England, suggesting that the English are always trying to undermine what we do in Scotland. We need mature politics in Scotland, and the SNP has to grow up and to acknowledge the real progress being made.

The hon. Gentleman also raised the whereabouts of fine revenues. At present, fines from England and Scotland go through the UK Consolidated Fund. Why change that? The SNP obviously has not thought the question through. The funds are regarded at present as being similar to tax revenues and television licence revenues. They are pooled centrally, then distributed throughout the UK on the basis of need. Scotland is achieving devolution, not divorce. The settlement must work within the United Kingdom, and the hon. Gentleman would do better to acknowledge that fact.

The real question is whether we want to turn fines levied through the criminal justice system into another tax. It is ludicrous of the SNP to raise that issue when we all want fines to be about punishment within the criminal justice system. In addition to the possibility of a local income tax, changes to the uniform business rate and changes to the use of the Scottish variable tax, another new tax is being put before us tonight, invented by the SNP. It would be a tax on people going through the criminal justice system.

Mr. Salmond: Will the Minister give way?

Mr. McLeish: I will not. The hon. Gentleman has already made his points, and they deserve a full response.

The hon. Gentleman referred also to remarks made in Scotland by my right hon. Friend the Prime Minister about the seizure and confiscation of drugs. Yet the hon. Gentleman's party has not a single policy on law and order, or drugs or any part of the criminal justice system. My right hon. Friend was quite right to say that the Scottish Parliament and United Kingdom Parliament will want to see drug dealers attacked, and their assets confiscated.

The Prime Minister referred also to recycling. If we are given the opportunity to do that in Scotland or at Westminster, we shall take it. Tonight, we heard not an address on that issue from the hon. Member for Banff and Buchan, but an attempt to make a political mountain of a technical molehill. It is disgraceful of him to seek to hijack an important issue for cheap party political points.

The orders are urgently needed. They will ensure that Scotland will consider finance carefully. I commend them to the House.

Question put and agreed to.

Resolved,

That the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Finance) Order 1999, which was laid before this House on 4th February, be approved.

SCOTLAND ACT 1998 (TRANSITORY AND TRANSITIONAL PROVISIONS) (FINANCE) ORDER 1999

That the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Appropriations) Order 1999, which was laid before this House on 4th February, be approved.—*[Mr. McLeish.]*

SOCIAL SECURITY CONTRIBUTIONS (TRANSFER OF FUNCTIONS, ETC.) BILL [*LORDS*]

Ordered,

That, during the proceedings on the Social Security Contributions (Transfer of Functions, etc.) Bill *[Lords]*, the Standing Committee on the Bill shall have leave to sit twice on the first day on which it shall meet.—*[Mr. Hill.]*

FOOD STANDARDS

Ordered,

That the quorum of the Committee appointed by Order [8th February] to report on the draft bill on the Food Standards Agency (Cm. 4249) shall be five.—*[Mr. Hill.]*

Kosovo

7 pm

The Secretary of State for Defence (Mr. George Robertson): With permission, Mr. Deputy Speaker, I should like to make a statement on decisions that have been taken today to ensure that British forces are immediately available in case a NATO force is required to deploy to Kosovo.

As the House will be aware, my right hon. Friend the Foreign Secretary is currently at the Kosovo proximity talks at Rambouillet in France, which he is jointly chairing with the French Foreign Minister, Hubert Vedrine. A news blockade has been imposed on the talks to encourage the parties to focus on the discussions rather than on telling the world how they are going. However, it is clear that progress is being made. Contact Group Foreign Ministers will take stock of what remains to be achieved in the negotiations when they meet in Paris on Sunday.

It is unclear at this stage whether a NATO force will be required to support any peace agreement. Any decision to proceed with such a force will have to be taken by Britain and its allies in NATO following a satisfactory conclusion to the talks at Rambouillet. No such decision has yet been taken. However, it is clear that, should such a force be required, it will have to be ready to go into Kosovo as quickly as possible after a peace agreement is reached. A military force that is to be effective must be assembled well in advance. That means that we and our allies must have our forces in the region ready to go into action at short notice.

For this reason, the Government have decided today to send to the region at the beginning of next week the vehicles and other heavy equipment of the units that would form the leading elements of any deployment. They will include Challenger tanks and Warrior armoured vehicles and artillery. The units principally involved are the King's Royal Hussars, the Irish Guards and 4 Regiment Royal Artillery, with a tactical headquarters drawn from 4 Armoured Brigade. Other units will also be providing equipment. Loading of the Royal Fleet Auxiliary ships Sea Centurion and Sea Crusader will begin on Monday.

Although those vehicles and heavy equipment will be accompanied by a small number of personnel, the majority of the personnel from the units involved will remain at their bases at short notice to move and join their vehicles. The decision whether to deploy them will depend on how the situation develops. To prepare for the arrival of the equipment in the region, about 200 key logistics personnel will deploy next week to Greece and Macedonia, where we already have an armoured infantry company deployed as part of the NATO extraction force.

The House will draw from those decisions the clear message that the United Kingdom is determined to play its part in supporting a negotiated settlement in Kosovo. However, we will deploy our forces only in support of an operation with a clear mission and clear objectives, and alongside our allies. Contingency planning is continuing at NATO, with Britain playing a full part. Other allies are making preparations similar to ourselves. From my contacts with my fellow NATO Defence Ministers, I know that others will be on the ground alongside us should a decision be made to go ahead with the operation.

The decision that I am announcing this evening represents prudent military contingency planning. In no way does it prejudge any decision to proceed with an operation. Whether a force is to be deployed into Kosovo will depend in large measure on the parties: neither side can take it for granted that NATO will deploy a ground force. Both sides must make the hard choices necessary to reach an agreement.

Mr. Robert Key (Salisbury): As the Secretary of State knows, my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) is in Scotland tonight.

I thank the Secretary of State for his statement and for extending to us the courtesy of an advance copy. I also thank the Leader of the House for responding quickly to this afternoon's request for a debate by the shadow Leader of the House, my right hon. Friend the Member for North-West Hampshire (Sir G. Young).

This is a grave statement, and the House should not underestimate its significance. The Opposition support the Government in their attempts to find a peaceful solution to this protracted problem. We know that what the Secretary of State announced makes good military sense. It leaves many difficult questions for him and for us. The political and diplomatic issues will have to wait for another day, but the deployment of ground troops abroad is a serious commitment.

Can the Secretary of State tell us the extent of United States participation in the operation? For example, what air support will be provided by the United States or other states? What other European countries will deploy to the Balkans in addition to France? What will be the status of the Organisation for Security and Co-operation in Europe observers in the Kosovo monitoring force as a result of this significant move? What will happen to the extraction force? If he can, I should be grateful if he would tell us about the British contingent. We can think of no better commander for this operation than General Sir Mike Jackson. He is an outstanding leader who enjoys the confidence of the House and that not only of British troops but of others who are likely to participate.

Can the Secretary of State say anything about the rules of engagement? I do not expect him to break confidences, but will they be similar to those in Bosnia? What will be the impact on overstretch in the British Army following the strategic defence review and the commitments clearly laid out in that? For example, what will be the impact of taking the ARRC—the Allied Command Europe Rapid Reaction Corps—from Germany for a long period? How long does the Secretary of State anticipate that the deployment will last? This is a sample deployment, but a serious commitment could follow from it. Would it be a three-year term—I believe that that is what is being discussed at Rambouillet—or will it be longer? What will be our exit strategy? Who will pay? Will the cost fall on the defence budget or will the Treasury find money from the contingency fund?

All hon. Members must extend their good wishes to all our troops who participate, particularly to the advanced forces that will be sent next week. I also mention the non-uniformed staff of the Ministry of Defence who are looking after the strategic tail, right down to the people helping with the aircraft, ships and so on without which the front-line forces could not meet their commitments. Of course, we all think of the families of the forces and of all those who are involved in this operation in a supportive role.

[Mr. Robert Key]

As the House goes into a short recess next week, will the Secretary of State be sure to keep us all informed? I understand that the other place will not be in recess next week, but we must be kept informed of any moves on this important development.

Mr. Robertson: I thank the hon. Gentleman for his courtesy and his recognition that we have responded to the wish of the House for information on what is, I stress, a purely precautionary contingency operation. I believe strongly that it would be irresponsible for us not to take these precautionary moves and put in place contingencies. Although many of his questions cannot be answered at this stage, they will form part of the background to any decision eventually taken by the Government. We will, of course, inform the House of any such decision.

The hon. Gentleman asked about the role that the United States might play in any such force and about other European allies beyond France. I expect that our NATO allies would be involved in any force that might be put in place, should there be an agreement at appropriate levels, but no decisions have been taken on whether there should be a force or on its ultimate size. I expect and hope that the United States and the other major allies would be involved in it. Having discussed that matter in person with other NATO Defence Ministers last weekend, I believe that that is more than an ordinary hope.

The hon. Gentleman asked about the status of the monitors already in Kosovo, who are doing an outstanding job in extremely difficult circumstances. Clearly, he knows that I cannot and should not embark on speculation about their future. He mentions the British commander of the Allied Command Europe Rapid Reaction Corps—otherwise known as the ARRC—General Sir Mike Jackson, who is outstanding and who, in the circumstances of a deployment, will be in command of the ARRC headquarters and whatever troops we put in place, should that prove the right thing to do.

I cannot answer questions on rules of engagement, for reasons that the hon. Gentleman knows perfectly well. However, on the subject of existing commitments, I can say that, if we were to go ahead with such a deployment, it would clearly have an impact on our forces. Some 27 per cent. of the British Army is currently on operations—an historically high figure. That is extremely demanding of the individuals affected by it, and that applies to the Royal Navy and the Royal Air Force as well. However, we must do what we have to do if we are to ensure that our continent is safe and that there are no further atrocities of the sort that we witnessed a few weeks ago. That is why we are putting these precautions in place.

For obvious reasons, I cannot tell the House how long any commitment would last—the talks are going on and a minute-by-minute discussion of them would hardly be helpful in terms of pressure on the parties—nor can we talk at this stage about an exit strategy. However, in my statement, I made it absolutely clear that we are interested in getting involved only if there is a clear mission with clear objectives. I hope that that reassures the House. Payment will be dealt with in the normal way: the defence budget will cope with what the defence budget can cope with; beyond that, I shall make a claim on the contingency reserve. That is the standard formula, applied from Government to Government.

The hon. Gentleman's good wishes to those who might be deployed, those who are now being put on short notice and those who will be engaged in putting equipment on ships and getting it under way, are appreciated, as are his remarks about those working on the logistics side, those involved in a civilian capacity and all the families concerned. His good wishes will be welcomed and they are well deserved.

Mr. Tony Benn (Chesterfield): Will the Secretary of State cite to the House the specific legal authority under the charter of the United Nations or the constitution of NATO that would allow armed forces to enter a sovereign state—Yugoslavia—if that state were to object? If that were to take place, would the Government believe that Yugoslavia had, under article 51 of the UN charter, the right of self defence? If British troops are injured or captured in those circumstances—without a state of war—would they be protected by the Geneva convention? Finally, will he tell the House whether Parliament will be given an opportunity to give its judgment before British forces are committed?

Mr. Robertson: My right hon. Friend misunderstands what I have announced. When he reads my statement later on, he will see that I have announced the sensible precaution, a contingency measure, of putting in place some of the equipment that might be used were a decision to be taken to go ahead with a deployment. The discussions currently taking place with the representatives of the Government of the Federal Republic of Yugoslavia and the representatives of the Kosovo Albanians will determine whether there will be any agreement. I have already made it clear that I will expect to keep Parliament informed of any decision that is taken about using the troops who are to have their equipment sent en route, as I have announced.

Mr. Menzies Campbell (North-East Fife): Those are entirely sensible precautions if we are to put ourselves in the position of being able to make a contribution to a negotiated settlement. If anyone doubts the need for a negotiated settlement, perhaps the scenes of today's mass burial in Kosovo will remove those doubts.

The Secretary of State tells us that the decision to deploy will depend on a satisfactory conclusion to the talks in Rambouillet. May I press him a little further? Must not it also depend on sufficient pledges from other NATO nations to provide a credible total force, and a pledge from the United States of America to provide a substantial contingent of ground forces? Are the units to which he has referred fully manned? If not, how is the shortfall to be made up?

Mr. Robertson: Let me underline yet again that I am talking about sensible precautions, contingencies—no more, no less. The right hon. and learned Gentleman is right to say that we should be aware of what we are doing, and that that can, in many ways, assist the seriousness of negotiations. We shall of course be going to the area with forces of other NATO nations. I have discussed that matter with Defence Ministers, and I know that my right hon. Friend the Foreign Secretary will have discussed it with his colleagues. The matter has been dealt with at Heads of Government level, too. We want the maximum number to commit forces in advance, should there be a settlement, as we all hope.

The right hon. and learned Gentleman is absolutely right to pinpoint why we are even talking about this tonight. The scenes on television today, and the atrocities that have occurred before and during the past few weeks, have moved people across the world. That is why the talks are going on, and why, in many ways, it is remarkable that both parties are sitting down together in that chateau near Paris. It is why we must all hope that the talks are successful.

Mr. Nicholas Soames (Mid-Sussex): Does the right hon. Gentleman agree that, although this deployment may be only precautionary, it obviously sends a formidable and powerful message, which will not escape those negotiating in Paris? Will he quantify what he already knows that our allies are moving? Does he intend to beef up air assets available to the deployment, should it go ahead? Will he confirm that, in the weeks to come, he and his colleagues will be doing a good deal of work to secure a complete legal basis and rules of engagement for such a deployment, were it to take place?

Mr. Robertson: The hon. Gentleman speaks with some authority. He will know that none of this announcement has been made without deep thought and genuine concern for the individuals who might be involved. At the moment, we are only moving heavy equipment, which must get on the high seas if it has even the slightest chance of reaching the theatre in order for a decision then to be taken one way or another.

I am not in a position to quantify what our allies will be doing. NATO's force generation conference has not yet taken place, but I know from discussions last weekend with fellow Defence Ministers that they, too, see the merit of this contingency deployment, and are already putting in place their own contingency plans in order to be able to ensure that when—or if—an agreement is reached, we have a sensible basis on which to move forward.

Perhaps the House does not need to be reminded, but there are already RAF personnel and air and ground crews at Gioia del Colle air base in Italy as part of the actord—activation order—which hangs over the scene as yet another sensible precaution. A large force of American aeroplanes is involved in that force, with RAF and other allies, and is a vital part of the threat of force that backs up the diplomacy which has got the parties together.

Mr. Bruce George (Walsall, South): I hope that the Secretary of State has been persuading his fellow NATO parliamentarians and members of Governments to replicate what he is doing by making statements to their legislatures. His decision is not only prudent, but commands the support of the overwhelming majority of Members of Parliament. It is critically important to the future of NATO and of any European dimension to security that there is not just a presence, but a formidable one, alongside British troops. Both organisations would be fatally weakened if some countries chose to send only token forces. That is an important point.

Secondly, has the Secretary of State looked at his diary for next week? I hope that he has and that he realises that he will appear before the Select Committee on Defence. While our colleagues are enjoying their well-earned break, he will be explaining these events in rather more detail than he has been able to do this evening. On behalf of the other 10 members of the Committee, I can tell him that we are looking forward immensely to abandoning our visits to the Caribbean and the south of France so that we can listen to him explain in great detail what he has in mind for British forces.

Mr. Robertson: I remind my hon. Friend that there may be recesses for Members, but there are no recesses for Ministers. I look forward to meeting all the members of the Defence Committee next Wednesday when I shall give evidence before them, and to having the opportunity to deal with matters in detail.

The procedures of other nations are a matter for them. Some have elaborate procedures in their Parliament and that is their tradition. This is our tradition, and I am responsible for generating forces from this country. Of course, we are on test. This is a European crisis and we look to Europeans to live up to the challenge put before us. Therefore, I hope that all our NATO allies in Europe will contribute if it is necessary to send in a force to supervise an agreement.

Mr. John Wilkinson (Ruislip-Northwood): Does not the crisis demonstrate the paramount need for the Royal Air Force to have at its disposition heavy lift cargo aircraft that can take the heaviest equipment such as the Challenger tank, a number of Warriors or several helicopters straight into theatre within three hours of take-off in the United Kingdom? That deficiency was highlighted in the strategic defence review and has not yet been rectified. Is it not about time that the RAF bought some C17s?

Mr. Robertson: I would hate this statement to become an auction on which aeroplanes we might eventually buy. The SDR identified the need for strategic heavy lift. That was one of the review's central features and one of the major deficiencies that we inherited from the previous Government. It is only eight months since the SDR was endorsed by Parliament and we are still involved in the process. I assure the hon. Gentleman that the sensible precautions that we are taking mean that we shall have the right forces with the right training and the right equipment in the right place so that we can make a decision, if one is required.

Mr. Donald Anderson (Swansea, East): Will my right hon. Friend remind the Foreign Secretary that he will meet the Select Committee on Foreign Affairs next Wednesday, when most colleagues will be working hard in their constituencies, and that he can, if necessary, make a statement? Will he acknowledge the enormous importance, practically and symbolically, of the fact that NATO and Russia are working together, and does he agree that they should stick together throughout the process and translate the political unity of the Contact Group into a military unity? Will he make it absolutely clear that no British troops will be deployed in Kosovo until there is a political deal, and then only to reinforce that deal?

Mr. Robertson: My right hon. Friend the Foreign Secretary is currently engaged in the detailed and momentous discussions at Rambouillet and will be concentrating on those at the moment, but I know that, when he meets the Foreign Affairs Committee, he will give its members the proper attention.

[Mr. Robertson]

My hon. Friend is right to point out that relations between NATO and Russia on this issue are cordial. Indeed, that is one of the major strengths of the negotiations and, perhaps, one of the factors in the decision by the parties to come to the proximity talks. Clearly we want those good relations to continue.

I made absolutely clear in my statement the circumstances in which British troops would go into Kosovo. I repeat: we shall deploy our forces only in support of an operation with a clear mission and clear objectives and alongside our allies.

Mr. Martin Bell (Tatton): Will the Secretary of State clarify his thinking in the event that the talks in Rambouillet fail? Presumably, the tanks, the guns and the advance parties come home. How do we stay engaged? How do we deal with the threat to peace in the Balkans?

Mr. Robertson: That is a hypothetical situation—a serious one, but a hypothetical one, when the parties are at present sitting round the same tables in Rambouillet. I do not think that for the moment, we should countenance the idea of failure, or allow them to think that they can leave the talks in the midst of failure. I told the House that the equipment and the limited numbers that we are sending can at any point be taken back. What we cannot do is put them into place if we have not made the contingency arrangements.

Mr. John Austin (Erith and Thamesmead): I welcome the prudent and sensible precautionary measures that the Secretary of State has taken. Can he confirm—and if not, will he investigate—reports that, even this week, villages around Podujeva and Llapashtica have come under heavy shelling from the Serbian forces, and that villages around Malisheva have been heavily machine gunned? What action will the Contact Group take if there are blatant breaches of the ceasefire while the Rambouillet talks are still in progress?

Mr. Robertson: The issues that my hon. Friend raises underline the gravity of the situation and the urgency of a successful outcome to the talks. They place a heavy responsibility on both sides in the talks to come to an agreement soon, to allow the political process to develop and new institutions to grow up that will stop the violence. Both sides, as it happened, condemned the grenade attacks that took place last week. The message that we have given to both sides is that the violence must stop. The talking at Rambouillet is where the future of Kosovo should be determined, not in exchanges of machine gun fire.

Mr. Crispin Blunt (Reigate): The Government have a division-minus deployed indefinitely in Bosnia. They are about to prepare to deploy indefinitely a corps headquarters and a brigade to Kosovo. The right hon. Gentleman told me in a written answer last week that the central assumptions in the strategic defence review of one formation indefinitely deployed and one formation on only a six-months deployment was what drove the force structure that arose out of the strategic defence review. When will he review the force structure arising out of the strategic defence review?

Mr. Robertson: I am confident that the overall force structure that was determined by the strategic defence review allows us to make those deployments, if the decision is ultimately taken to make them.

Mrs. Alice Mahon (Halifax): My right hon. Friend stated that the Russians are on board for the negotiations. Can he spell out in detail the level of co-operation of the Russians? Would they be involved in deploying troops or other personnel if we went into Kosovo?

Mr. Robertson: My hon. Friend is taking me into territory that is not mine and on which it is not wise to speculate in any event. The Russians are fully engaged in the talks, are full members of the contact group and are fully part and parcel of the efforts that are being made through the talks, which are chaired by my right hon. Friend and the French Foreign Minister. I sincerely hope that the Russians will continue to be engaged because further outbreaks of violence or the further disintegration of Kosovo would not be in their interest or anyone else's.

Mr. William Cash (Stone): Will the Secretary of State comment on the fact that, in what happened in Iraq, we had no support, effectively, from our so-called partners in the European Union in matters of defence? Will he also comment on the basis on which he said that he expects—in other words, hopes—that there will be allied support, other than from the United States? Can he tell us what discussions have taken place with our European partners under the Western European Union, having regard to the Maastricht and Amsterdam treaties? Is there any prospect of a full and united response by the EU, or is all the paperwork no more than rhetoric about the operations, with no practical action?

Mr. Robertson: I get a sense of deja vu every time the hon. Gentleman stands up to speak. I hear the obsession with Europe, which is seen always through the light of dismal failure. On the subject of being alone in Iraq, I draw his attention to the fact that the German Government—and the German Defence Minister, here in London—endorsed absolutely everything that we did in Iraq, saying that it was right and perfectly justified.

I also point out to the hon. Gentleman—in the hope that I might puncture this conspiracy theory, by which he seems always to be captivated—that the talks are chaired by the British Foreign Secretary and the French Foreign Minister. They are British-French talks that are designed to try to ensure that, in one part of our own continent, we concentrate our minds on how the fighting can stop and how we can build a sustainable peace.

Mr. Harry Barnes (North-East Derbyshire): Although these measures are clearly precautionary, should not an answer be given to my right hon. Friend the Member for Chesterfield (Mr. Benn) in respect of the legality of proposed actions? These are matters of considerable importance. It cannot be the case that, if the circumstances arise in which there is a call for action, we will not act because of the problems that have been raised by my right hon. Friend. Is not my right hon. Friend the Secretary of State in an odd logical position in respect of that issue?

Mr. Robertson: I make it clear to my hon. Friend that British troops will never be deployed other than in accordance with international law.

Dr. Julian Lewis (New Forest, East): Will the Secretary of State accept my warmest congratulations on his statement? I endorse every word he said. He referred to the pictures in today's papers showing the funerals of the victims of the massacre. Does he agree that it is ironic that accounts of the massacres 57 years ago in western Russia and eastern Poland—of hundreds of thousands of innocent civilians, because of their religion—have also appeared today? Does he also agree that the action that he and the Government are taking sends a signal to the world community that we will never again tolerate such dreadful atrocities in Europe?

Mr. Robertson: I will set aside the worry that takes me when the hon. Gentleman praises and congratulates me, and assume that his remarks are welcome. The whole thrust of the talks that are taking place between the parties at Rambouillet, and the fact that we have summoned them together and they have come, is a clear signal that we are not willing to accept the kind of atrocities that have taken place or the kind of humanitarian crisis that was threatened before the end of last year. We must urgently make sure that the parties agree on a political way forward and that the international community makes sure that they stick to it.

Mr. Robert N. Wareing (Liverpool, West Derby): As the Contact Group called the Rambouillet summit, may I press my right hon. Friend on the participation of Russia? Is he convinced that Russia would support the sending of 30,000 troops to Kosovo? Even though we all sincerely hope that there will be a peaceful outcome as a result of the negotiations in Rambouillet, may I preach caution to him on the presence of 30,000 foreign troops in Kosovo? We know from Northern Ireland experience that progress toward peace often breaks down. If there are 30,000 troops in Kosovo, there could be a tremendous tragedy in that part of the world and British soldiers, among others, could die—and for what cause?

Mr. Robertson: Russia is a full member of the Contact Group, and therefore a full participant in the talks and all the pre-discussion that took place. It is fully behind the need to move forward politically and to end the violence that was overtaking, and could easily again overtake, Kosovo.

I am confident that, although our forces have pressures on them that they have probably never had before, they have the spirit, commitment and dedication to take on the tasks that are being placed on them, and that could be placed on them if the decision were taken to deploy them in this theatre alongside our NATO allies. I have just spent four days in the Gulf meeting a large number of our forces who are far from home. They are involved in dedicated and courageous activity out there. I sense in them their absolute commitment to maintaining and contributing to international law and order. I have no doubt that, if they are required to do so, they will rise to the occasion as they usually do.

Mr. Andrew Tyrie (Chichester): I understand that, although 2,000 monitors were committed to Kosovo as a result of the Holbrooke agreement, in the end, only about two thirds of them arrived. What confidence does that give us that any commitment of forces from other countries will be fulfilled? Will the Secretary of State give us an idea of the maximum proportion that the British would be prepared to bear of the total force that may go into Kosovo?

Mr. Robertson: I cannot give the House details, because the total size of the force is yet to be determined, and will not be determined until the force generation conference takes place. If the allied rapid reaction corps headquarters were to be deployed with associated elements, a possible British commitment of some 8,000 troops would be involved. The proportion will depend on the size of the total force, and on the number of troops that our allies contribute. When I met the other Defence Ministers last weekend, I recognised in them a determination to ensure that, if we get the political agreement that we are all hoping for at Rambouillet, any force that may be deployed in the area would be of a sufficient size to ensure that the settlement was delivered.

Mr. John Randall (Uxbridge): Is it envisaged that German troops will be part of the NATO force? Although I understand the need for unity among the allies and NATO, I reiterate the point made during a previous statement on Kosovo by the right hon. Member for Chesterfield (Mr. Benn) that the use of German troops would be at best insensitive and at worst highly provocative, and might jeopardise a fragile peace.

Mr. Robertson: I shall show restraint and say that Germany expects to contribute to any force that may be deployed in pursuit of a peace agreement, and so it should. It is a proud democracy inside Europe. It will want to play a part, and we want it to be involved.

Mr. Gerald Howarth (Aldershot): May I say how welcome it is that the right hon. Gentleman has come to the House to make the announcement to us before we have heard it on the "Today" programme? May I also congratulate him on the appointment of General Sir Mike Jackson, who will undoubtedly instil huge fear into anyone who threatens to step out of line?

Pursuant to the question posed by my hon. Friend the Member for Reigate (Mr. Blunt), to what extent will the deployment of a force to Kosovo inhibit the Government's ability to deploy troops in other theatres should the need arise? I am thinking in particular of Sierra Leone.

Mr. Robertson: I welcome the hon. Gentleman commendations. He is right to use such language about General Sir Mike Jackson, who will be formidable. We all wish him well if or when the deployment takes place. No one in the Ministry of Defence, least of all me as chairman of the Defence Council, will take any decision lightly—even about putting in place contingencies—unless I am satisfied that we are able to do what this nation is called upon to do.

There must be a balance. I must take military advice on what is necessary. I have listened carefully to the commanders' responses to requests for information, and to discussions in NATO. The political decision is for me, but, as I have said, I listen carefully to advice, and I am

[Mr. Robertson]

confident that we can act in the way that I have described while at the same time discharging our other responsibilities. If I were not confident, I would not take such action.

Mr. John Butterfill (Bournemouth, West): We all support what the Secretary of State is doing today, but will he give us a clear undertaking that there is no question of British troops being deployed in Kosovo, other than as part of a multinational force of a suitable balance and size?

Mr. Robertson: I can give the hon. Gentleman that assurance.

N. J. Hyam

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hill.]*

7.41 pm

Mr. Peter Bottomley (Worthing, West): I am grateful for the opportunity to raise the issue of the criminal cases review procedure, and, in particular, the case of Mr. Nicholas Hyam. First, however, let me welcome the Minister and the Whip to this short debate: I am grateful for their attendance.

This evening, I was—and shall be—at a dinner and concert with my secretary, Patricia Greenwood, to commemorate her 12 years of service in the House before her retirement. I thank her, and private secretaries, agents and welfare officers serving all Members of Parliament, for working for the cure, care and comfort of constituents who raise problems. I also thank her husband Allan and their daughter, Freya Twin, who backs up my constituency work.

I shall spend most of my time tonight trying to explain why I think Mr. Hyam's case could meet the criteria for the review procedure that has been introduced over the past few years. I understand that about 1,000 cases are being considered; about 200 were referred from the Home Office when the procedure was changed. I also understand that a case cannot normally be heard unless there has been an unsuccessful appeal against either sentence or conviction. Perhaps the Minister can give me more information, but I do not expect him to respond in any detail to the case that I shall be making.

I do not intend to give a running commentary on what the judge, Mr. McHale, said at the Croydon court in 1996. The case is No. T960391; it took place between 14 and 18 June 1996, and the sentencing took place on 9 July. I first became involved when Stella Evans—who is not a constituent of mine, but who has been involved in the Association of Coastal Tenants and the coalition for the abolition of residential leasehold, a campaign to deal with the difficulties experienced by leaseholders—asked me to support her work. I must declare an interest, in a freehold flat in my constituency. I experience none of the problems experienced by leaseholders, but I put that on the record for the elimination of doubt.

After I took up Stella's invitation, Mr. Nicholas Hyam came to me. He had served his sentence: he was convicted and gaoled for four years, although his co-defendant received a lesser sentence. He told me, straightforwardly but forcefully, that he had suffered an injustice. I think he accepts—certainly I do—that he committed bad practice and did other things that he should not have done, and I have given him forthright advice in regard to some of those things. It is also true that a civil dispute is in progress. I shall not go into the details—they are for the courts to determine—but let me quote one of the judge's sentencing remarks. He said after sentencing:

> "I shall not . . . be able to make a compensation order because I do not think it is a simple sort of case where a compensation order is available. There are too many imponderables."

Some evidence was not admissible in the court case. That, I suspect, will be one of the grounds when a submission is made for favourable consideration to be given to referring the case to the courts for reconsideration.

In essence, one of the things that Mr. Hyam did was to use money that was in a tenants' account for other purposes. He then paid it back. Later, when a property was sold and Detective Constable Peter Savage had made investigations, it was shown that the money had been improperly used, although it was paid back before anyone knew that there was a problem.

I do not want to get into the distinctions of the law because I am not a lawyer. Even when lawyers are involved, there is normally more than one side to the truth, in the same way that there can be more than one method of dishonesty. Anyone who went through the judge's summing up, which was lengthy—about 67,000 words—would be able to say that he got many things right. It is not for me to say that he got anything wrong, but it was a complicated business.

The best thing for me to do is to acknowledge that the article by Detective Constable Peter Savage in *Police Review* on 20 September 1996 puts his side as investigating officer, but it is not up to the police to decide whether there is a prosecution; it is up to the Crown Prosecution Service. It is not up to the police to decide whether there is a conviction; that is up to the jury. It is not up to the police to decide what the sentence should be; that is up to the judge.

I make the following comment not in passing, but as a major point, although it is not for the Home Office. It is time to bring our property law into the 21st century. The law should be more accessible to users, rather than being just the way legislators have chosen to leave it. It is a complicated area, but many of the things that the Associated Coastal Tenants wants are worth considering. They include the right of leaseholders to appoint their choice of managing agent; freedom of information, so that issues of insurance and maintenance funds are open and accessible; certified summaries of expenditure; maintenance money to be held properly in funds that cannot be used for other purposes; the Landlord and Tenant Act 1987 to be updated; a greater say by leaseholders in the choice of contractors; landlords and managing agents to be regulated; increased rights for recognised residents' associations; the relationships between landlords and managing agents to be clear and obvious, if there are any relationships; and a property log book.

It is worth taking up a series of issues, but I shall use my remaining time to go through some of the issues as Mr. Hyam put them to me. As I say, it is not a matter for the House to judge, but it is important that people outside the House know that the job of a Member of Parliament is not just to pander to the prejudices of his constituents, but to be prepared to take up unpopular causes for unpopular people, who may have acknowledged that they have done things that are wrong.

I say that, as many hon. Members could, with a background of having taken up cases. At my first constituency advice session, I took up the case of a man whose sister said he had been wrongfully convicted of attempting to steal a hand bag. It took five years to discover that the person involved in detecting that offence was pretty suspicious. There was a late overturning of the conviction.

Other such cases include that of Judith Ward, who was wrongfully convicted of a motorway bombing; she could not possibly have done it. I have been involved in a case in Florida, where someone had been on death row for two murders when the conviction, at least, was unsafe; I cannot prove that he was innocent, but the conviction was certainly unsafe. That case will not cover a Member of Parliament in glory, but it is right to be prepared to raise it, if necessary in public.

Mr. Hyam says that six months after the property that is perhaps the best illustration of his problems was sold, the police raided his offices and took away the old files. When he owned the property, he had a lessee maintenance account containing approximately £20,000. That was earmarked for maintenance works, which were never undertaken as not all the lessees had paid.

At that stage, Mr. Hyam had over 200 properties under management. He had an overdraft facility of £30,000 to manage the properties. That was insufficient. For example, the insurance renewals, which mainly fell together in June, came to more than £70,000. He was over his limit and had urgent company business to attend to. He acknowledges that he used £10,000 of the money in the account to pay for company business. That was a short-term measure taken out of desperation. The money was paid back shortly afterwards—a matter of weeks later. I do not justify his use of the money, and neither does he.

When Mr. Hyam sold the property a completion statement was prepared and every penny was properly accounted for and paid to the purchaser. The purchaser came to court as a witness to confirm that no money was missing. The solicitor acting for the lessees wrote to question the completion. He was sent a copy of the completion statement and was satisfied that no money was missing. No complaints were made against Mr. Hyam by any of the lessees.

Mr. Hyam goes on:

> "Whereas I acknowledge that it was bad business practice to use these monies that I held, and that I had no right to do so, how can it be possible to be charged with theft, when it is clearly proven that no theft took place? There was no deprivation, other than the very short time when the monies were used, then paid back almost immediately."

I suspect that that sums up why the judge did not make a compensation order. However, that is not an issue for me, the Minister or the House to judge. I have merely illustrated a worry. The review system has been brought into operation because of the worries.

I should like to go briefly through some of Mr. Hyam's points. Part of the problem is to do with the fact that he paid some builders in cash. He should not have done so. I think that it is fair to say that that is reasonably common practice in the building maintenance business. I do not have to approve of the practice. If Mr. Hyam writes on the cheque stub that the money was for a certain builder, but the cheque was actually written for cash, which he gave to the builder, it would be pretty strong to describe that as fraud. Such issues might be worth a review, when reconsidering the judge's summing up.

I appreciate that sending the case to review—which is a matter for Mr. Hyam and his solicitors, not for me—will not give the review commission the responsibility to decide whether the conviction was unsafe. When the commission considers a case, it has to decide whether there is a reasonable prospect that there would be some difference to the verdict if it were sent back to the court.

The first count was about the estimates for a property. He was sentenced to 15 months for that. A second count related to a property in Littlehampton in need of external

[Mr. Peter Bottomley]

redecoration. Quotes were obtained and the cheapest was taken. The work was done and the builder was paid in cash. The other quotes obtained were accepted as genuine quotes. They were more expensive, so money was saved by using the builders that were chosen. No one has alleged that the works were not carried out. One lessee said in evidence that there were paint runs and some poor painting. That was put right. Mr. Hyam asked:

> "If the works were done, especially for a cheaper price than others tendered for, how can anyone be defrauded?"

He says that press cuttings about his case state that the prosecution maintained that he deliberately submitted inflated quotes, had the work done and made a dishonest profit. He goes on to say:

> "Not only is this not true, it cannot be true, for I only accepted"—

the quotes from these particular builders—

> "when they were the lowest quote (they quoted for other works, were more expensive and did not get the contract, although none of this came out in the trial as the judge ruled it inadmissible."

I repeat that it is not my task to criticise the judge or any of his decisions. I merely want to illustrate the points that would be considered if the review commission allowed a new trial. Had the original appeal been accepted, those issues could have been considered, but for reasons that I am not aware of, the appeal was not successful. Hon. Members will know that under the old Home Office review procedure and the present procedure there have been a fair number of appeals or applications for appeal in which only at the end has it been possible to establish more of the truth or cast sufficient doubt on a conviction.

The other counts are different. Mr. Hyam regards some of the issues as bizarre. I think that I have said enough to show the complexities as well as the simplicity of the issue. All I can say—and my purpose is not to get everybody in prison to write to me—is that, in my experience, in cases where someone has persistently said that they were wrongly accused or convicted, they have turned out to be right. They have not always been proved innocent, but there may have been an unsafe conviction.

I believe that unless right hon. and hon. Members are prepared to do as much for people who have behaved badly or committed bad practice as they are for people who appear to have done nothing wrong, we are not doing our job right. My expectation is that during my remaining service in the House, along with the successor to Mrs. Patricia Greenwood, I shall continue working for Stella Evans and other leaseholders who are exploited and for those who are in prison or who have been in prison and believe that their convictions should be re-examined. I am grateful for the opportunity to put those issues to the House this evening and I look forward with interest to the Minister's reply.

7.56 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I congratulate the hon. Member for Worthing, West (Mr. Bottomley) on securing tonight's debate and on the characteristically reasonable way in which he has presented his arguments. As he said, Mr. Hyam was convicted in June 1996 of 13 counts—of furnishing false information, using a false instrument and theft—and sentenced to four years' imprisonment. The hon. Gentleman will accept that it would be inappropriate if I were to become involved in a debate about property law and still less the practices of the construction industry. He will forgive me if I do not take that path, tempting though it may be.

Mr. Hyam's offences related to documentation that he had furnished to the leaseholders of various properties. The properties were managed by a company that he ran, and in all but one case a company of which Mr. Hyam was a director owned the freehold of the property. The documentation was used to support claims for payment from the leaseholders for work carried out on the properties. The offences of theft related to cheques that Mr. Hyam had made out from the account of one of his companies. The cheques were made payable to various individuals, but their stubs purported to show they had been made out to firms for work done on the properties, as the hon. Gentleman conceded in his speech.

Mr. Hyam appealed against his convictions on grounds relating to the judge's summing-up. The hon. Gentleman referred to some of the specific comments that were made. In January 1997, the Court of Appeal dismissed his appeal. Mr. Hyam was released from prison on licence last July.

I would not presume to comment on the merits of the case against Mr. Hyam, nor would it be proper or useful for me to do so. The hon. Gentleman has made it clear that he is not looking to me for such comment. What I can do briefly—and he may find it helpful—is to outline the avenue open to someone in Mr. Hyam's position who wants to continue to contest a conviction.

As the hon. Gentleman will know, before 31 March 1997, the Home Secretary had the power to refer a case in which someone had been convicted on indictment in England or Wales to the Court of Appeal. The court had to treat the referral as an appeal by the person convicted. The Home Secretary used that power to bring before the court cases, particularly where the court had already heard and dismissed an appeal, in which he believed there had been a miscarriage of justice, for instance, on the basis of evidence that had recently come to light, and that was a common practice.

Following a recommendation of the royal commission on criminal justice, the Criminal Appeal Act 1995 changed the arrangements for the review of an alleged miscarriage of justice. The Act transferred from the Home Secretary to a new and independent body, the Criminal Cases Review Commission, the power to refer cases to the Court of Appeal. The commission is empowered to review and investigate alleged miscarriages of justice in England, Wales and Northern Ireland.

The commission can gain access to documents and other material that may be relevant to its investigations and, if it thinks fit, can appoint an investigating officer. Anyone can apply to it to refer a conviction or sentence to an appellate court. If the commission makes a reference, the court has to treat it as a fresh appeal.

The commission may make such a reference only if it concludes that there is a real possibility that the conviction or sentence will not be upheld. A conviction can be referred either because of an argument or evidence not raised in the proceedings that led to the conviction or on any appeal or application for leave to appeal against it, or because the commission thinks that there are exceptional circumstances that justify making such a reference. Either the applicant or the commission may identify the argument or evidence not previously raised, which does not necessarily need to be newly discovered.

I understand that to date, no application has been made to the commission in respect of Mr. Hyam. I suggest to the hon. Gentleman that, if Mr. Hyam wants to continue to contest his conviction, he should make such an application. I would be happy, if he felt that it would be helpful, to send the hon. Gentleman a leaflet that sets out what I have said about the commission's functions, and explains how to make an application. I am sure that his constituent may find it helpful.

Mr. Bottomley: I am grateful to the Minister.

Question put and agreed to.

Adjourned accordingly at two minutes past Eight o'clock.

House of Commons

Monday 15 February 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Police (Administrative Work)

1. **Helen Jones** (Warrington, North): If he will make a statement on progress in reducing the amount of administrative work required of police officers. [69104]

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): Good progress is being made in reducing the burden and in streamlining the management of administrative tasks. Developments following the Masefield scrutiny have significantly reduced the number of forms that the police must prepare for prosecuting straightforward cases in magistrates courts. More recently, pilots of new measures recommended in the Narey review of delay in the criminal justice system have introduced further streamlining.

Helen Jones: I thank my hon. Friend for that reply. Recently, when I went out on patrol with my local police, I saw at first hand the heavy demand on police officers and the response of members of the public when they were dealing with a police officer whom they knew. Can my hon. Friend assure me that the reduction in administrative burdens on the police will lead to more police being devoted to front-line duties, which is what both they and my constituents want?

Kate Hoey: My hon. Friend is right. All of us learn a great deal when we go out and spend time with our local police. The Cheshire police in her constituency are doing well in civilianising the police force; 39 police personnel have been civilianised. That has increased the amount of money that is available to put into front-line and mainstream policing. We are determined to ensure that the administrative burden on our police is reduced to that which is necessary.

Mr. Graham Brady (Altrincham and Sale, West): To what extent will police time be occupied in fulfilling the requirements of the Crime and Disorder Act 1998, not just in the preparation of audits, which has largely already been completed, but in future?

Kate Hoey: Clearly, the hon. Gentleman will join us in hoping that, if the Act works as it is meant to work—we are sure that it will—crime will be reduced, so the amount of time that police spend on working on the requirements will also be reduced. Under present arrangements, there is considerable duplication in administration between the police and the Crown Prosecution Service. Those are the sorts of things that the reviews have worked towards trying to minimise. That is what I hope that we will be able to do.

Mr. Ken Maginnis (Fermanagh and South Tyrone): Has the Home Department considered the amount of administrative time that is spent in following up malicious complaints against the police? Has it considered how it might bite back, so to speak, against those who maliciously try to disrupt policing? Has the Home Office considered the amount of time and money that is spent because of malicious complaints? What steps does it intend to take to counter that?

Kate Hoey: I thank the hon. Gentleman for his question. Clearly, malicious complaints, or abuse of the system, which does happen, is something that no one can support. It is a crime—a criminal offence—to waste police time. I hope that police forces throughout the United Kingdom are ensuring that, where it is possible to prosecute people who have done that, they do so.

Mr. David Kidney (Stafford): Will my hon. Friend join me in congratulating Staffordshire police on their recent launch of the new Starnet radio communication system, which was jointly procured and is jointly used by Staffordshire fire and rescue service? Does she agree that such collaborative works between emergency services give opportunities for administrative savings? Will she look favourably on bids from Staffordshire police for limited Home Office funds for similar innovative and successful collaborations?

Kate Hoey: Yes. Clearly, any collaborative work, and the work to which my hon. Friend has referred, is to be welcomed and commended. We look forward to more such innovative initiatives throughout the country.

Police Grants

2. **Sir Sydney Chapman** (Chipping Barnet): What representations have been made to him in response to the announcement on provisional police grants for 1999–2000. [69105]

The Secretary of State for the Home Department (Mr. Jack Straw): I received 40 written representations on the provisional police grant allocations that I announced to the House on 2 December. The Minister of State, Home Office, my hon. Friend the Member for Brent, South (Mr. Boateng), subsequently met representatives from seven police authorities. I met right hon. and hon. Members from Kent and, while on an official visit to Falmouth, talked to the chief constable of Devon and Cornwall police about the matter. Final allocations of police grant for 1999–2000 were set out in the police grant report for England and Wales, which was approved by the House on 4 February.

Sir Sydney Chapman: I am grateful to the Home Secretary for that reply. Has he made any estimate of how much of the increase of 2.7 per cent. in police grant funding that is to take place next year will be swallowed up by the ever-increasing commitments to police pensions, which are unfunded? If he is relying on the 2 per cent. efficiency savings that he expects next year, how does that square with the Audit Commission's view that further efficiency savings can be only 0.5 per cent. at most?

Mr. Straw: The continuing burden on police funds of the costs of pensions, which are pay as you go, is worrying to, I think, all hon. Members on both sides of the House, but the actual burden is taken account of in setting the formula for individual authorities. That is one of the reasons why the amount that is allocated varies from one force to another. I am satisfied that police forces can meet their 2 per cent. efficiency targets on top of that. I do not accept the hon. Gentleman's assertion on the belief of the Audit Commission. The commission has made it quite clear—not least in its latest publication "Fire and Police Performance Indicators"—that there is very substantial scope for efficiency savings, and that there is no relationship at all between the amount spent per head in an area and the effectiveness of the police service.

Angela Smith (Basildon): Will the Home Secretary assure the House that additional resources given to police are used to fight crime, and that any efficiency savings police are able to make are ploughed back into police forces for use in implementing crime prevention strategies?

Mr. Straw: Under the Police and Magistrates' Courts Act 1994, allocation of resources within an overall total is a matter for chief constables. Therefore, although I very much hope that what my hon. Friend desires will happen, I cannot guarantee it. Plainly, everyone in Basildon, in Essex, and across the country will expect that the resources released by efficiency savings are used for front-line operational police officers.

Sir Norman Fowler (Sutton Coldfield): In regard to the previous answer, is the Home Secretary considering setting targets for recruitment of police officers from ethnic minorities?

Mr. Straw: Yes, I am; I made that quite clear to the Home Affairs Committee last Tuesday, when I gave evidence to it. I should also make it clear—as I have in the past—that we are talking about targets and not about quotas of the type that were set, quite unsatisfactorily, in America. We want targets with a single method of entry and of qualification, regardless of people's ethnic status. Despite the progress that has been made in some forces—in recent years, pre-eminently in the Metropolitan police—I do not believe that it is satisfactory that, whereas 8 per cent. of our population are from the ethnic minorities, only a little over 2 per cent. of our police are from the ethnic minorities.

Sir Norman Fowler: If the Home Secretary is pursuing that policy, how is he able to continue saying that he has no view on police recruitment generally? Is it not a fact that police strength increased by 15,000 under the previous, Conservative Government? If he is going to pursue the policy that he has just stated, should he not now take responsibility for falling police strengths across the country?

Mr. Straw: I think that, in the trade, that is described as a non sequitur. There is no connection whatever between the fact that, under an Act passed by the previous Administration, the establishment of police forces is now a matter for chief constables and my setting of targets for ethnic minority recruitment—with the overwhelming backing of police authorities, most chief constables and the public. What we have to hear from the right hon. Gentleman is whether he supports the policies that I am implementing and that are designed to ensure that the police service more accurately reflects the ethnic background of the people of this country as a whole.

Mr. Barry Jones (Alyn and Deeside): May I thank my right hon. Friend for the letter that my hon. Friend the Minister of State, recently sent to me, and ask him whether he accepts that the North Wales police authority has delivered a very high standard of policing, which is both very successful and very professional? Does he agree that our communities, particularly on Deeside, very much value their local police station? Is he also aware that my constituents are glad that five of our police stations are not to close, and that there was particular rejoicing in the town of Buckley when its residents learned that their station was not to close?

Mr. Straw: I am very glad to learn that my Minister of State has produced satisfaction—which does not surprise me, given the qualities that he brings to his job.

3. **Mr. Tim Boswell** (Daventry): What plans he has for achieving greater equity in funding between police forces. [69106]

The Secretary of State for the Home Department (Mr. Jack Straw): Funding is allocated between police forces in England and Wales by means of a needs-based formula. The formula is designed to be a fair means of distributing resources. However, I have commissioned two pieces of independent research to determine whether the formula can be improved.

Mr. Boswell: Although that specific answer is very welcome, will not the Home Secretary concede—if I concede it to him—that there is a case for special action on, for example, the Met and centralised services, such as criminal intelligence? Will he concede also that there is concern, particularly in county forces, about the slow wind down of the establishment element, about the unsolved pensions problem and about their overall funding? Does he agree that the result is that the chief constable in Northamptonshire—which has a well-known, lean and efficient police force—will be required to dispose of the services of 43 officers next year?

Mr. Straw: The formula is not perfect, and we must go on trying to refine it. Although we will never reach perfection, hopefully the formula can more accurately reflect relative needs in different areas, over time. However, decisions about the number of officers to be deployed or on the establishment are a matter for chief officers. For Northamptonshire, the grant for 1999–2000 is increasing by 3.8 per cent.—that is 50 per cent. up on the average, and follows an increase of nearly 5 per cent. last year. Northamptonshire has done pretty well compared with other forces.

Ms Hazel Blears (Salford): The 2.9 per cent. increase this year for Greater Manchester will be challenging for us. However, I am delighted that the police authority has managed to find £10.5 million of efficiency savings, and that it has confirmed that it can live within the budget without cuts in front-line policing. Can I commend to my right hon. Friend the innovative new best-value pilot in Salford, which looks to get the maximum value for money out of every pound spent on policing? Will my right hon. Friend confirm that a fundamental look at police functions could ensure that the police concentrate on key issues—protecting the public and making our communities safer places in which to live?

Mr. Straw: I can confirm that. It is important that police resources are used wisely and not wasted. It remains the case that, as the Audit Commission has spelt out:

> "Overall, the police service is spending more per head in real terms each year, but there is still no direct correlation between increased spending and improved performance at the level of individual forces."

As the Conservative Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden (Mr. Davis), has said, there is enormous variation in the performance of otherwise similar police forces. It is a matter for each force and authority to ensure that in this public service, as in every other, we secure best value for the public.

Dr. Vincent Cable (Twickenham): Does the Home Secretary accept that there are difficulties with the Metropolitan police, which has accounted for three quarters of the loss of police numbers since the Government came into office and has exceptional recruitment difficulties? Does he agree that the process by which the funding formula is arrived at—which gives equal weight to the various police authorities—heavily discriminates against a major metropolitan authority such as London?

Mr. Straw: I am afraid that I do not accept that. There has been an adjustment—certainly since I became Home Secretary—to take account of the special pressures and demands on the Metropolitan police force. I have increased the amount from £130 million in 1997 to £150 million last year, and to more than £170 million next year. The criticism that I have received has been from provincial forces who say that I have been too generous to the Metropolitan police—not too mean.

Ms Jackie Lawrence (Preseli Pembrokeshire): Will the Home Secretary confirm that one of the two pieces of independent research being carried out relates to the sparsity element of the needs-based formula? If, as the Dyfed Powys police force believes, the research shows that there are considerable extra costs in policing rural areas, will the sparsity element of the formula be adjusted to take that into account in future?

Mr. Straw: Yes, I can confirm that. I understand that this is of particular importance to constituencies such as that of my hon. Friend in west Wales, which I had the privilege of visiting in 1997. We are carrying out two pieces of research—one on the effects of sparse population on pressures on policing, and the other on the pressures on police in inner urban areas. I hope—although I cannot guarantee—that there will be some resolution to those different but conflicting pressures.

Mr. John Greenway (Ryedale): When does the Home Secretary expect to publish the findings of that external research, particularly the research into sparsity? Does he agree that many of our small and rural police forces are under severe financial pressure? He mentioned eight the other day, and all those that he criticised were rural. We hope that he has checked up on how bad things are. Those forces have virtually no flexibility to deal with sudden shocks in the grant formula. Many are already cutting recruitment, leaving people in rural areas feeling betrayed by the Government. Will the Home Secretary assure us that there will be no further cuts in the budget for rural communities? Will he also assure us that provision to cover any additional and exceptional need will be quickly implemented?

Mr. Straw: I congratulate the hon. Gentleman on his birthday. He is 53 today.

We have shown our concern about the pressures on rural forces by keeping the sparsity factor in the police formula, even though significant questions have been raised about its reliability. We shall continue with that policy until we have the results of the research, which I have been promised shortly. I shall write to tell the hon. Gentleman the outcome as soon as I discover it.

Burglaries

4. **Mr. Andrew Dismore** (Hendon): What measures he proposes to protect people from repeat burglaries. [69107]

The Minister of State, Home Office (Mr. Paul Boateng): My right hon. Friend the Home Secretary recently announced his intention to implement in December section 4 of the Crime (Sentences) Act 1997, which provides for mandatory minimum sentences of three years' imprisonment for those convicted for a third time of committing domestic burglary. That supports the action that the Government are already taking to reduce and prevent burglary through the crime reduction programme and the work of the local crime and disorder partnerships.

Mr. Dismore: Will my hon. Friend join me in congratulating the Metropolitan police on the fact that levels of burglary in the capital are at their lowest since 1980? In particular, will he congratulate my local police service in Barnet, which has achieved a 26 per cent. reduction in burglary over two years through a multi-agency approach?

Is my hon. Friend aware of the recent survey by the Met, which showed that Londoners' No. 1 priority for policing is combating burglary? I welcome the Government's commitment to taking firm action against repeat burglars, who cause such misery when they prey on our constituents' homes, by giving the courts the powers that they need to deal with them.

Mr. Boateng: I am happy to recognise and congratulate my hon. Friend's local police for their excellent work on burglary. The Met is leading the way in targeted policing to combat burglary. The Government are concentrating on ensuring swift and condign punishment for those who are caught and convicted of burglary because of the harm that they do. We are doing all that we can to support and encourage the nuts and bolts measures on the ground that the police and public can take together to prevent burglary.

Mr. John Bercow (Buckingham): Why does the Minister not recognise that the early release of prisoners on the home detention curfew scheme, many of whom are burglars, will make a mockery of the Government's attempts to convince the public that they are cracking down on serious burglars?

Mr. Boateng: When will the hon. Gentleman learn not to try to score cheap party political points on a measure that enjoyed cross-party support on the Home Affairs Committee? After we discharge prisoners, we ensure that we retain the capacity to supervise them. They are punished in a condign way when they are caught. We are concentrating on making sure that there are programmes in prisons to prevent reoffending and on supervising prisoners on release. The Conservatives never did that when they had the stewardship of the criminal justice system.

Mr. Bill O'Brien (Normanton): I thank my hon. Friend for his response on how burglars will be dealt with. The victims of crime are usually those who cannot afford the resources to protect their property. Are the Government able to help secure the homes of people on low incomes, old people in particular, to try to ensure that they are defended against burglars?

Mr. Boateng: My hon. Friend is absolutely right. That is why we are applying about £50 million over three years to tackle burglary and to effect target hardening to ensure that older people, in particular, and all vulnerable victims of crime in high-burglary areas get the assistance that they need to deter and prevent burglary. That holds out the prospect of about 2 million households receiving help that they never would have got had that lot opposite returned to power at the general election.

Police Numbers (Sussex)

5. **Mr. Norman Baker** (Lewes): What assessment he has made of the adequacy of police numbers in Sussex. [69108]

The Minister of State, Home Office (Mr. Paul Boateng): My right hon. Friend the Secretary of State has made no assessment of police numbers in Sussex. Under legislation passed by the previous Government in 1994, it is for the chief constable to determine the number of police officers in the force, within the resources available to him or her.

Mr. Baker: I hear what the Minister says, but I hope that he shares my concern that a recent survey demonstrated that only 15 per cent. of people felt that there were enough police on the beat. I hope that he feels that he ought to do something about that. Before the general election, the Labour party was very keen to criticise the previous Government on police numbers. Is it the case that the previous Government were responsible for police numbers then and that the police authorities are responsible for them now?

Mr. Boateng: The Lib Dems are trying to have it both ways, as usual. As the hon. Gentleman well knows, the reality is that the number of police on the ground is an operational matter for the chief constable. The new Labour Government have provided an additional £1.24 billion for policing. We are also enabling the constabulary in Sussex to reinvest its 2 per cent. efficiency savings in front-line policing. That is warmly welcomed in Sussex. Is it too much to ask the Liberal Democrat party to recognise the good that is being done on the ground, rather than carping on and on about the number of police, which it knows is not the best criterion for reducing and preventing crime?

Mr. Nicholas Soames (Mid-Sussex): I thank the Minister for that thoroughly condign answer. Will he acknowledge that what he says is simply not true and that the news on numbers is not welcomed in Sussex? The hon. Member for Lewes (Mr. Baker) is right to say that it is generally acknowledged in Sussex that there are not enough policemen on the beat, as the Minister himself would have said at the general election.

Will the Minister see to it that the rather exotic number of police required, rightly, to police Gatwick airport in north-west Sussex in no way impinges on the rightful need for more police in the ordinary Sussex police establishment?

Mr. Boateng: I have never associated the hon. Gentleman with exoticism, but, as he raises the issue, I will of course take it up with the chief constable, who will be the first to recognise that it is an operational matter and not one on which it would be proper for me to comment.

Police Pensions

6. **Mr. Richard Ottaway** (Croydon, South): What plans he has for reform of police pensions. [69109]

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): Following our consultation document of last year on police pensions, work is in hand on detailed proposals for the pension arrangements for new entrants to the service and for changes to the medical retirement procedures. We plan to publish our proposals in the spring. They will be published in advance of implementation to allow for full consultation with the interested parties.

Mr. Ottaway: Does the Minister accept that the total size of the pension package expands year after year, and that it expands incrementally into a fixed budget? Is not the logical conclusion that there will be fewer policemen on the beat, in Sussex, Croydon or anywhere else?

Kate Hoey: No, I do not accept that. As we have said all along, it is up to local police forces to use their resources as they think best to ensure that front-line policing is not affected. As the hon. Gentleman well knows, the predicted need to spend on pensions has gone up from 13.2 to 14.5 per cent. It is up to the police forces and the chief constables to ensure that police on the beat and on the front line are not affected by the overall settlement.

Mr. Bob Russell (Colchester): Does the Minister agree that the current operation of police pensions has a direct bearing on front-line police services? Is she aware that, this afternoon, the Essex police authority is considering spending cuts of £7 million, partly brought about by the police pensions fund formula, which means that Essex will have 135 fewer police officers next year, the entire motor cycle fleet will be sold off, there will be less overtime for police officers to tackle crime and the mounted police section will be disbanded? Surely we need to tackle police pensions so that there is more money for front-line police services.

Kate Hoey: We are all aware of the difficult position on the future of pensions. That is precisely why we are conducting a consultation exercise, why a document was published and why we shall consider the issue and make sensible, well-thought-out proposals that will take all those points into consideration. Although the hon. Gentleman believes that his force is particularly harshly affected, I do not accept that. There is a general problem that we need to tackle on a cross-party basis; police pensions are not a party political issue, but a problem that we all have to work towards solving.

Sir Norman Fowler (Sutton Coldfield): Is the hon. Lady aware that there are reports that the Home Office is considering punishing police officers who are convicted of serious disciplinary offences by cutting their pension by up to 75 per cent? I do not defend police officers who are found guilty of such offences, but can it be right to use their pension scheme as the penalty for a disciplinary offence?

Kate Hoey: The right hon. Gentleman has been slightly badly briefed on this matter because that is the law at the moment, so exactly that action can be taken.

Mr. David Winnick (Walsall, North): Is my hon. Friend aware that many of us are concerned that sexist, racist behaviour does not, in many cases, lead to a loss of pension? If we are to strike out the cancer of racism in the police force, far more action is necessary, including cutting pensions.

Kate Hoey: Clearly, every police officer has to be treated fairly. We are strengthening the position on discipline and the new arrangements from 1 April will take account of all that. The matter is on-going and some changes have already been made. I hope that my hon. Friend will wait to find out how those changes work in practice from 1 April.

Mr. Desmond Swayne (New Forest, West): Does the hon. Lady agree that a pension is, in effect, pay deferred and that the question of punishing a police officer by removing his pension entitlement raises profound questions about the rights of property? Although that can be done now, will she inform the House that it will not be done?

Kate Hoey: I am sorry, but the hon. Gentleman seems to be equally badly briefed as his Front-Bench colleague, the right hon. Member for Sutton Coldfield (Sir N. Fowler). At present, up to 75 per cent. of a police officer's pension can be taken away, so this is not a new proposal that has suddenly been pulled out of a hat; it can happen already.

Asylum Seekers

8. **Mr. Tony McNulty** (Harrow, East): If he will make a statement on the measures being taken to prevent asylum seekers attempting to enter the United Kingdom illegally by hiding in vehicles. [69112]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): We shall tackle the problem of illegal immigration rather than specifically asylum seekers. We are developing increased European and international co-operation to crack down on traffickers. The Immigration and Asylum Bill contains several important provisions, including a civil penalty that will apply to drivers of vehicles found transporting clandestine entrants to Britain.

Mr. McNulty: I thank my hon. Friend for that answer. Does he accept that everyone will welcome a fairer, faster and firmer system for immigrant applicants and asylum seekers? Does he accept that, despite some whingeing in the press, there is widespread support for fining those who bring in illegal immigrants, particularly via freight lorries? The time is past when drivers could turn a blind eye and say, "I did not know what was going on," when there were up to 100 people in the back of a lorry. Now is the time for action for a faster, firmer and fairer system all round.

Mr. O'Brien: My hon. Friend is right: 8,000 illegal immigrants were brought into Britain in the backs of lorries last year, at a cost to the taxpayer of tens of thousands of pounds. Lorry drivers are neglecting to check their loads. It is difficult to resist the idea that most drivers are either culpable, because they accept bribes, or, at best, negligent, because they do not check their loads. The civil penalties of £2,000 per illegal immigrant will concentrate their minds. We do not want to be forced to fine anyone. Indeed, the best result would be that we never have to fine anyone because no illegal immigrants are being brought in.

Mr. James Clappison (Hertsmere): How can the Minister lecture lorry drivers in that way, when the Government's message is that they have granted what is in effect an asylum to up to 30,000 asylum seekers? Is it not highly likely that many of those 30,000 are not properly entitled to asylum and may be economic migrants? What sort of message is that sending to other would-be asylum seekers about trying to get into the United Kingdom?

Mr. O'Brien: In 1992–93, the Tory Government made a secret concession that granted exceptional leave to remain to more than 26,000 asylum seekers. Parliament was never informed. That is a greater number than we will involve in our special procedures announced in the White Paper entitled "Fairer, Faster and Firmer—a modern approach to immigration and asylum". Unless we clear the inherited backlog, we cannot create a faster system. The Tory Government left us with so many cases that it would take five years to train the staff needed and to clear the backlog. The problem is too great and we cannot afford that much time to solve it. We had to take a tough decision, and we have taken it. We expect criticism, but it ill becomes the people who created the problem to complain when we are clearing up their mess.

South Yorkshire Police

9. **Helen Jackson** (Sheffield, Hillsborough): What discussions he has had with the chief constable of South Yorkshire about the funding of the defence costs for members of the police force involved in civil suits. [69113]

The Minister of State, Home Office (Mr. Paul Boateng): My right hon. Friend has had no discussions with the chief constable on this matter. I understand that the South Yorkshire police authority has set aside from its reserves the sum of £500,000 for legal costs in connection with the Hillsborough disaster. The funding of the defence costs of police officers is entirely a matter for the police authority.

Helen Jackson: My hon. Friend will be aware of the great concern in Liverpool and Sheffield that the South Yorkshire police authority may have acted outside its authority in offering to fund the defence costs in a private prosecution of former police officers Duckenfield and Murray. Who will fund the costs of settling the matter in the High Court? If any expenditure has been unlawfully authorised to date, will my hon. Friend ensure that it will be repaid to the South Yorkshire police authority? Does he agree that the public in South Yorkshire do not deserve to suffer reduced resources now, as a result of shortcomings that led to the tragic loss of life at Hillsborough on 15 April 1989?

Mr. Boateng: The House shares a continuing sense of loss at the tragedy surrounding Hillsborough. The decision of the South Yorkshire police authority is, of course, a matter for that authority. It has decided to stop funding the defence costs of the two former officers. Whether the matter is vires is for the courts to decide, and it is not something on which I wish to comment. Any matters to do with the misuse of funding are the business of the district auditor. However, if it will assist my hon. Friend, I shall write to her in connection with any detailed matters that she might wish me to address.

Mr. Richard Allan (Sheffield, Hallam): I hope that the Minister will agree that the police authority has behaved properly in recently seeking fresh legal advice and withdrawing the funding for the former officers' defence costs. However, is he aware that the police are worried that, whatever decisions are taken, they may face the prospect of judicial review? Will he consider offering assistance to forces, such as South Yorkshire, when they face judicial review, which is very expensive? Such consideration would have less to do with the local case than with the need to clarify national guidelines. The Hillsborough case has revealed how desperately such clarification is needed.

Mr. Boateng: We are always prepared to look at guidelines and their review whenever matters emerge that require us to reassess them. Of course, police authorities must act according to Home Office circulars and guidelines, when they are applied. It is clear that section 88 of the Police Act 1996 does not apply to criminal proceedings but, if there is any necessity to tighten or clarify the guidelines, we shall certainly take that on board.

The hon. Gentleman will understand why it would be improper of me to comment on the other matters that he raised if there is any question of judicial proceedings being initiated. However, I shall bear his comments in mind.

Prisoners (Drug Smuggling)

10. **Mr. Bill Rammell** (Harlow): If he will make a statement on the Government's policy towards prisoners who smuggle drugs into prisons. [69114]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): We are committed to reducing the use of illegal drugs in prison. As part of an overall strategy, my right hon. Friend the Home Secretary announced proposals on 25 January to introduce a co-ordinated range of measures against both prisoners and visitors who smuggle drugs into prison.

Mr. Rammell: I thank the Minister for that reply. Does he agree that deterrence is the best mechanism by which to stop drugs being smuggled into prison? Evidence suggests that drugs most commonly get into prisons through domestic visits. Where that is proven to have occurred, should not the prison authorities have the ability to ban domestic visits for a set period? Will my hon. Friend ensure that, when such powers become available to the prison authorities from 1 April, they are rigorously enforced to ensure that we continue to see, as we have over the past couple of years, a reduction in the number of drugs smuggled into prisons?

Mr. Howarth: My hon. Friend is quite right to say that restrictions on visits to prisoners are likely to act as a strong deterrent to visitors and prisoners. Visitors found smuggling drugs will normally be banned from visiting the prison for at least three months. Prisoners found to be, or believed to be, engaging in such activity will normally take all visits in closed conditions for a period equivalent to three months in total. Those regulations will be introduced on 1 April, and they will be enforced.

Mr. Edward Garnier (Harborough): Is not one of the best ways in which to inhibit drug smuggling and trading within prisons to prevent overcrowding? Last week, the Minister was unable to answer my written parliamentary question on that subject, which was designed to find out how many people were sharing three to a cell meant for two prisoners. If the Minister were to visit, among others, Belmarsh prison near Greenwich, he would find a number of prisoners sharing cells in such conditions. If the Minister viewed that problem, he would perhaps learn a little about how to solve the problems of drug smuggling and trading in prisons.

Mr. Howarth: The hon. and learned Gentleman is being somewhat imaginative in making that connection. There are difficulties in disentangling that information and, as I explained in my written answer last week, the statistics are not recorded in the manner that he suggested. I am satisfied that the problem raised by the hon. and learned Gentleman is not a major one, and that the real problem lies not in what passes between prisoners inside a prison, but in how the drugs get into the prison in the first place. That is the area on which we are right to concentrate our attention. If we followed the logic of the hon. and learned Gentleman, we would bother not with what went into prisons, but about what was circulating in them. Clearly, that would not be equal to the problem.

Mr. Martin Linton (Battersea): Is my hon. Friend aware that the smuggling of drugs into prison is the cause not only—and obviously—of drug taking, but of a great deal of prisoner-on-prisoner violence and feuding, and a great many tragic suicides in prison? Is he further aware that it causes a great deal of theft outside prison as relatives steal money to buy drugs to smuggle to their drug-taking relatives in prison?

Mr. Howarth: My hon. Friend is right. It is important that we should get two messages across. First, prisoners found guilty, through mandatory drug testing, of trading or using drugs in prison will be punished in serious cases. More importantly, those who visit prisoners should know that, as of 1 April, serious measures will be enforced if they decide to take drugs into prisons. Violence, theft and much else are caused by drugs. We shall not tolerate what has happened in the past in our prisons, and we intend to start dealing with the problem severely.

Crime Detection Rate

11. **Mr. David Amess** (Southend, West): What recent representations he has received on the rate of crime detection in the United Kingdom. [69115]

The Secretary of State for the Home Department (Mr. Jack Straw): We regularly receive representations from hon. Members, members of the public and others about crime issues, including the detection rate.

Mr. Amess: Is the Home Secretary aware that fewer crimes than ever will be detected in Essex as a result of the wholly inadequate funding provided by the Government? Why did the Home Secretary give Essex one of the worst four settlements in the country—an increase of only 1.7 per cent., effectively a cut of £7 million—especially in the light of the extra burdens, costing £1 million, caused by the four extra bank holidays? Why has he got it in for Essex, the very county that was responsible for educating him? Will he pull himself together and give Essex the tools to be tough on crime and tough on the causes of crime?

Mr. Straw: I hope that the hon. Gentleman feels better for that rant. Calmly, as an Essex man, I shall give him a few facts which are contrary to his assertions. His claim about Essex's alleged underfunding is wrong. Essex received an increase of 2.9 per cent., which is above, not below, the rate of inflation. Also, there is absolutely no warrant for his claim that, as a result, Essex police officers will detect fewer crimes.

I am astonished that Conservative Members should seek to excuse inefficiency in the police service alone of all public services. When we were in opposition, Conservatives often—quite rightly—lectured us on the need to secure efficiency in health, education and other local authority services. When one or two of my hon. Friends ill-advisedly went around suggesting that there were to be large cuts in staff and therefore in the outputs and efficiencies as a result of the dreadful Tory cuts, Conservative Ministers were rightly sceptical, and some of us on the Opposition Front Bench used to squirm with embarrassment at the extravagance of the claims made by those behind us.

The same efficiency disciplines must apply to the police service as apply to every other public service, especially against a background in which, as the Audit Commission pointed out in its latest assessment of key performance indicators, it is the police service which, year on year, has had real-terms increases in its inputs, although there is no necessary correlation between the amount of money allocated and the clear-up rates or detection of crime. The police's agenda must now be to raise the level of all services to that of the best.

Mr. Peter L. Pike (Burnley): I must tell my right hon. Friend that I have a more than particular interest in this matter today, having had my constituency office broken into last night. We talk about the detection rate, but what about the rate of crime reported to the police? Are not many crimes not reported because people feel that there is little point in doing so as nothing will happen?

Mr. Straw: The level of the recording of crime varies considerably as between the types of crime. There is a pretty high level of recording of domestic burglary and of thefts of motor vehicles, not least because many of the items stolen are of high value, and there are insurance consequences of not reporting such thefts. There are relatively low levels of reporting of, for example, theft from cars, as opposed to theft of cars. Overall, the evidence from the British crime survey, which assesses total levels of crime, suggests that the reporting of crimes has increased as people have more confidence in the police to solve those crimes.

Category A Prisoners

12. **Mr. Gordon Prentice** (Pendle): What is the annual cost of keeping a category A inmate in prison. [69116]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): The average annual operating cost per place for 1997–98 in the five dispersal prisons which house the majority of category A prisoners was £38,100, excluding any Prison Service headquarters expenditure. There were 854 category A prisoners on 31 December last.

Mr. Prentice: Does not that figure simply take one's breath away—£38,000 a year each to keep just over 600 category A prisoners? *[Interruption.]* It costs £23,000 a year to keep every ordinary prisoner in gaol. The hon. Member for Southend, West (Mr. Amess) should listen to this because it was under his Government that crime doubled, which led to the explosion in the prison population. Given that this is a Government of targets, does my hon. Friend have a target for bringing the prison population down to more manageable levels? As we are about to consider adding to that population 2,700 people who may suffer from personality disorders but who have not been convicted, can we have a target for getting the prison population down?

Mr. Howarth: My hon. Friend is well aware that it is not the Home Office or Ministers who convict people and give custodial sentences but the courts. Our job, and that of Parliament, is to ensure that the legal framework is correct so that the courts can operate effectively. The important task is getting the rate of crime down so that courts do not have to have recourse to custodial sentences. In all places and at all times, there will be a need for some type of prison system, but if we can start to defeat crime, the number of people convicted and given custodial sentences will inevitably fall. That is what we have tried to achieve through the Crime and Disorder Act 1998 and what all our legislative attention will go on in the coming period. It is right for everyone to get crime down. I am sure that the whole House accepts that and will support our legislation.

Asylum Appeals System

13. **Dr. Norman A. Godman** (Greenock and Inverclyde): What steps he is taking to speed up the asylum appeals system. [69117]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): The Immigration Asylum Bill will introduce reforms to the appeal system to reduce opportunity for frivolous appeals. Our target is to have appeals processed within four months.

Dr. Godman: My compliments to the Minister for that answer. Is he aware that, in Scotland, fully 30 per cent. of all cases involving immigration appellants are handled by the Scottish Refugee Council, a charitable body that receives no public funding for that legal work? What steps will he take to ensure that such appellants receive legal representation in the courts or will he suggest that this might be a matter for the Scottish Parliament?

Mr. O'Brien: It may or may not be, but we want to ensure that, where possible, those who need legal representation are legally represented. The Refugee Council in England and Wales receives some public funding. It will be a matter for others in due course to review the position of the Scottish Refugee Council. We need to ensure that the legal aid system and the grants issued under section 23 of the Immigration Act 1971, which are given by the Home Office, can respond to the demands on them. We are examining that to ensure that, as far as possible, they can.

Miss Julie Kirkbride (Bromsgrove): In answer to the hon. Member for Harrow, East (Mr. McNulty), the Minister said that 8,000 would-be asylum seekers had been found in the backs of lorries. Can he confirm that they have all been deported after being found illegally entering the United Kingdom? If not, how many have been deported?

Mr. O'Brien: I suspect that, under the system that we inherited and under which we still operate, very few have been deported. We inherited substantial backlogs. It takes years to process asylum cases. The aim of our change to the immigration and asylum system is not only to introduce effective civil penalties to stop people bringing in illegal immigrants in the first place but to ensure that the system processes cases quickly so that we can remove those who need to be removed, unlike what happened under the previous Government.

Asylum Seekers

14. **Mr. John Gunnell** (Morley and Rothwell): What steps he proposes to take to ensure that new support arrangements for asylum seekers reduce the incentive for economic migrants. [69119]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Cash payments to asylum seekers provide a strong incentive for economic migrants. As a disincentive to economic migration, we have therefore decided that support for asylum seekers in real need should be in kind rather than in cash. However, we are speeding up the decision-making process so that genuine refugees should be on the system for only a very short time.

Mr. Gunnell: I welcome the fact that we are continuing to receive genuine refugees. I also welcome the Minister's reply. Inevitably, there will still be residual costs. Can he assure me that the matter has been discussed with receiving authorities such as Leeds and that a disproportionate share of the costs will not fall on council tax payers?

Mr. O'Brien: As a result of the Asylum and Immigration Act 1996, an enormous burden was placed on local authorities which was not really intended. As part of our reform, we aim to introduce a national system, with a national agency which will take responsibility for the support and accommodation of asylum seekers. Obviously, we will be working very closely with local authorities, to try to ensure, so far as we can, that they are able to recover moneys from national sources, which is where the responsibility should lie. As far as I am able, I give my hon. Friend the reassurance that he seeks. The system that we are trying to create will put most of the burden where it belongs: with the national Government.

Animals (Experiments)

15. **Dr. Phyllis Starkey** (Milton Keynes, South-West): What assessment he has made of the reduction of the number of experiments on animals since the ban on testing *(a)* cosmetics and *(b)* their ingredients on animals. [69121]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): During 1995 to 1997 inclusive, an average of 130 procedures a year were carried out on animals to test finished cosmetic products, and about 1,900 a year to test the ingredients of those products. The figures for 1998 are being collated. They will include some testing of cosmetic ingredients, as we did not end such testing until November.

Dr. Starkey: I thank my hon. Friend very much for that answer, but ask him to consider the area of necessary animal experimentation, such as the proper testing of genetically modified food. Is the Home Office insisting that experimental design is always optimised, so that the minimum number of animals are used, consistent with proper scientific results?

Mr. Howarth: Most people would agree with my hon. Friend. Although we seek to minimise the use of animals in all such procedures, some animal usage is necessary in some procedures, such as medical research which can often lead to the saving of human lives or research that ensures people's safety. We shall pursue relevant measures across Europe, rather than risk exporting animal experimentation to countries where, often, less rigorous controls apply. Of course we will ensure that measures are sustainable and do not disadvantage United Kingdom research, medicine and industry, while at the same time ensuring that the public's safety is not compromised. My hon. Friend is right: we must strike a balance between the welfare of animals and the necessary requirements of science, especially medical science. It is a difficult balance to strike, but we are working very hard to do so.

Surrey Probation Service

16. **Mrs. Virginia Bottomley** (South-West Surrey): If he will visit Surrey probation service in Godalming to discuss its performance in relation to its charter mark award. [69122]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): My right hon. Friend the Home Secretary hopes to be able to visit the service this year. He wrote to the chief probation officer on 25 January to congratulate the service on achieving a 1998 charter mark award.

Mrs. Bottomley: Surrey probation service was very proud to win a charter mark award, which followed it being highly commended two years ago. I am sure that the hon. Gentleman will agree that the citizens charter initiative, which was introduced by my right hon. Friend the Member for Huntingdon (Mr. Major), was an inspired contribution to public services.

Surrey probation service has been commended by the chief inspector for being dynamic, flexible, imaginative and well managed, but is in a dilemma because it has received among the lowest funding settlement in the country, and will have serious problems meeting its superannuation fund commitments. People in Surrey want to know whether the Government have a systematic policy of raiding the home counties. Surrey has received the lowest probation and health service settlements, and £6 million has been taken from its social services budget. Is that part of a consistent Government policy?

Mr. Howarth: We accept entirely that the approach of the right hon. Member for Huntingdon (Mr. Major) to charter marks, and so on, was useful. Indeed, we have carried on with it. I echo the right hon. Lady's congratulations to Surrey on its excellent work, but rather than putting a sting in the tail of her supplementary question, she over-egged the pudding. If there is a problem in Surrey, my noble Friend the Minister and I would be more than happy to hear about it. I suspect that she is slightly exaggerating the problem, although we are always willing to receive representations.

Severe Personality Disorders

3.30 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement on new measures that my right hon. Friend the Secretary of State for Health and I are proposing in order better to protect the public from dangerous people in our society.

Up to now, we have dealt with those who are capable of committing acts of a serious sexual or violent nature in one of two ways—by conviction and imprisonment through the criminal courts, or by detention on the recommendation of doctors under powers in the Mental Health Acts. There is, however, a group of dangerous, severely personality disordered individuals from whom the public at present are not properly protected, and who are restrained effectively neither by the criminal law nor by the provisions of the Mental Health Acts.

The propensity of such people to commit the most serious sexual and violent acts may be well known and well recorded. Such people may, however, have been convicted only of crimes carrying a limited determinate sentence, and will have to be released from prison at the end of their sentence, even though, for example, they may themselves have warned prison staff of their certainty of recommitting serious offences on their release.

Because current mental health legislation prevents the detention even of a person posing the highest possible risk to the public unless doctors also certify that the condition is treatable, those people remain at large and without the benefit of any attempts at clinical intervention, unless and until they can be convicted of a further offence. In a limited number of cases, such people may not have come to the attention of the criminal justice system at all.

As successive Governments have recognised, this situation is plainly unsatisfactory. As long ago as 1975 an official committee—the Butler committee—recommended that indeterminate, reviewable sentences should be introduced for some of those individuals.

Much more recently, legislation enacted by this and the previous Administration means that increasingly effective conditions can be imposed on some offenders as they are being released from prison into the community. That includes compulsory post-release supervision for prisoners serving one year or more. In such cases, those who breach their licence conditions can be immediately recalled to prison.

Section 2 of the Crime (Sentences) Act 1997, which was passed by the previous Administration and came into force in October 1997, provides for a mandatory life sentence for those convicted of a second serious sexual or violent offence. The Crime and Disorder Act 1998 introduced extended supervision of up to an extra 10 years for sex offenders, and gave the police powers to apply for a sex offender order. However, not all these powers can apply to people who were sentenced before 1992. In recent months, dangerous offenders such as Robert Oliver and others have been released, with no conditions imposed on what they did or on where they lived.

I should therefore like to tell the House today what we are proposing for the short term, and also of our legislative proposals for the medium term. For the short term, we are putting in place an early warning system, so that local agencies and central Government have the maximum possible time to prepare for a dangerous person's re-entry to the community. Prison and probation services are being asked to provide this information to the Home Office's probation unit.

Similar arrangements are being made through the national health service with hospitals that treat patients detained under the Mental Health Act 1983. A support group in the Home Office probation unit made up of staff from the operational services will be there to assist local agencies to deal with particularly difficult cases. Those arrangements will all build on the work of the multi-agency risk panels that have already been established in many areas.

Those changes will help the system to deal with dangerous people now, but I believe that a new legislative framework for the system is long overdue. As I have explained, under the current provisions of the Mental Health Acts, only some of those severely disordered people can be detained, and then only if the

> "treatment is likely to alleviate or prevent a deterioration of their condition".

As the House well knows, there is a continuing debate about what treatments, if any, are effective in dealing with such severe personality disorder. However, the protection of the public cannot wait for the outcome of research, which may take many years to complete. Society cannot rely on a lottery in which, through no fault of the courts, some dangerous, severely personality disordered people are sent for a limited time to prison or to hospital while others remain in the community, or return to it, with no interventions whatever.

Subject, therefore, to parliamentary time, the Government propose that there should be new legal powers for the indeterminate but reviewable detention of dangerous personality disordered individuals. These powers would apply whether or not someone was before the courts for an offence. However, the new powers would themselves be exercised by the courts, and not by the Executive, and only where it could be established that the individual had a recognised severe personality disorder and that he or she posed a grave risk to the public.

Depriving individuals of their liberty in such circumstances is a very serious step. The key aim must be to protect the public while meeting the health needs of such individuals; so we will ensure that the process of ordering detention involves a robust system of checks and balances covering both legal and clinical issues. Once in detention, there will be regular, quasi-judicial reviews of the justification for detention continuing. The individuals concerned must have the best possible chance of becoming safe so as to be returned to the community, wherever that is possible. We therefore propose to establish a range of specialist programmes and a new approach to managing the detention of all those detained under the new powers. This approach would involve close operational links with the existing services.

I have outlined for the House what the Government believe is needed, but, because of the complexity of this area, and the seriousness of creating the kind of detention powers that I have described, it will be important for us to consult more widely. This will enable us to ensure both that we have not overlooked any options and that the action we take is effective and measured, commands broad support and is compatible with our obligations under the European convention. My right hon. Friend the Secretary of State for Health and I therefore propose to publish in the spring a consultative document that will outline in more detail the nature of the problem and the options for the new framework within which these powers will operate. In the light of responses to that document, we will take final decisions later this year.

We need to find out also why some people develop severe personality disorders and how that can be prevented. We are therefore funding further research, of nearly £1 million over three years. But we know already that severe personality disorder is often associated with large, broken families where abuse has been rife and where children may have been taken into local authority care or have received community-based mental health treatment before then embarking on drug abuse and criminal careers. Those problems will need to be dealt with in any event.

A number of hon. Members on both sides of the House have had to deal with the consequences in their own constituencies of the release of such dangerous, severe personality disordered offenders. I am extremely grateful to them and to local police, probation and health services for the sensitive and responsible way in which they have handled cases in their constituencies involving offenders to whom these measures relate, often in the face of serious and alarmed public concern. I very much hope that this constructive all-party approach will continue and that the proposals that I have outlined will receive wide support inside and outside the House.

Sir Norman Fowler (Sutton Coldfield): In judging these proposals, should not our paramount concern be the safety of the public, and especially the safety of children? It cannot be right to have dangerous people in the community when there is a real belief that they may commit serious crimes, particularly when, as in the case of Michael Stone, the person himself seeks secure treatment.

It is clear that there is a range of issues to be decided when it comes to the Government's proposals. That being so, I ask the Home Secretary two particular questions. First, what will be the standard of proof when deciding whether an individual has a recognised severe personality disorder and is a grave risk to the public? Secondly, the right hon. Gentleman refers to regular quasi-judicial reviews of detention and the person's detention. How frequent will such reviews be? If a system can be devised, which is both fair and protects the public, I, for one, would support that.

Let me put an additional point to the Home Secretary. He has rightly talked about sex offenders, but is there not a bigger problem here? Not just the unconvicted are involved; convicted sex offenders, some of whom have served longish sentences, are released from prison into the community in the near certainty that they will offend again. The result is that persistent sexual abusers—who, during their lifetime, can have dozens of victims—have their career of abuse interrupted by prison, but not halted by it.

Is not one way forward to give the courts more power in sentencing and, in particular, to make possible the wider use of life sentences for sex offenders, in some circumstances? Would that not have the advantage that an offender would not be released until there was some confidence that he would not reoffend? An offender could be released on licence, and could be recalled. He could be made subject of a positive requirement—for example, that he should continue to have treatment. He would be subject to those conditions for the whole of his lifetime.

Does the Home Secretary agree that, if we are properly to protect the public, there should be extra provisions—for the unconvicted, but also for convicted sex offenders who, all too often, are released into the community and then offend again?

Mr. Straw: I am grateful to the right hon. Gentleman for the support in principle that he has offered to the proposals. I understand that he will want to comment in detail when he sees the consultative document.

The right hon. Gentleman asks about the standard of proof. That will be dealt with in the document, but we are looking for a standard of proof similar to that which applies within the mental health provisions—one that is bespoke for judging those matters and, above all, as he rightly said, for establishing whether a serious personality disorder poses a grave risk to the public. The protection of the public must be the paramount consideration when the courts are judging whether to make an order of this kind. The period, too, will be the subject of consultation. The Butler committee proposed that these reviewable sentences should be subject to review every two years. That will be one of the options raised.

The right hon. Gentleman asks whether I agree that these powers ought to be available to the courts in respect of those who are being convicted of offences as well as those who are not before the courts for any sentence. The answer is yes. As I made clear in my statement, these powers would apply whether someone was before the courts for an offence or not. If someone is before the courts for an offence—no matter what the nature of the offence is and even if it does not normally carry a heavy penalty—it would be open to the courts, subject to the criteria being met, to impose one of these indeterminate, but reviewable, sentences.

Such a sentence would be passed not as punishment in respect of the offence, but properly to protect the public and to deal with a situation that has rightly alarmed hon. Members on both sides of the House. A known sex offender who has been convicted of only a relatively minor offence that by no stretch of the imagination could reasonably carry a life sentence, and who is about to be released, could tell prison staff that he knows that he cannot control himself and will commit further offences. At the moment, however, nothing can be done to prevent the release of such a person, if he were sentenced before 1992.

I believe that the current range of life sentences available to the courts is broadly satisfactory. It is being reviewed in the context of the sex offender review, which the Minister of State, Home Office, my hon. Friend the Member for Brent, South (Mr. Boateng), recently announced. That availability, however, depends on the severity of the crime, whereas I am seeking to ensure that there is no longer a lottery—a matter of chance—in respect of whether someone who plainly poses a grave risk to the public is or is not detained. If such people pose that grave risk, and they suffer from a severe personality disorder, and whether or not they are before the court for an offence, and regardless of what kind of offence it is, they ought to be the subject of this kind of order.

Mr. Chris Mullin (Sunderland, South): As the Home Secretary acknowledged, this is an extremely grave step,

[Mr. Chris Mullin]

designed to address an extremely grave problem. I am glad to hear that he will consult widely. May I ask just two questions? First, what estimate does he have of the number of people likely to be affected by the measure? Secondly, can he assure the House that people will not be written off as untreatable simply because facilities for treating them are inadequate or do not exist?

Mr. Straw: The estimates of the total number of people suffering from such severe personality disorders and who are currently at large vary considerably. The best estimates that I have been given are that the number currently at large—not in the hospital or prison system—is between 300 and 600 and that the total number of people who suffer from such disorders, the vast majority of whom are, thankfully, detained under the Mental Health Acts or in prison, is some 2,700. However, those are only estimates.

I accept entirely my hon. Friend's second point—that people should not be written off as untreatable. Somebody may be deemed untreatable by a particular group of psychiatrists, but be susceptible to treatment by clinical psychologists, psychoanalysts or psychotherapists, or just within a therapeutic community. We should not write anybody off. Above all, the root of our concern must be the risk that such people pose to the public.

Mr. Simon Hughes (Southwark, North and Bermondsey): For this significant but very small group of people, the prospect of having a careful consultation is welcome because it is important to get the balance right. Does the Home Secretary agree that, in protecting an individual's liberty when that individual has not been convicted of an offence, the state has a duty to ensure that the test of what evidence is sufficient is met only if the most widely agreed, sufficiently high and tightly defined definition justifies that loss of liberty when set against personal or public safety? If that view is shared across the Floor of the House, will the Home Secretary assure us that an individual or his advocate will always be able to trigger a review, that reviews will not occur only at the instigation of other authorities, and that that will be reviewable by the courts?

Does the Home Secretary agree that this reform exercise can be done properly only in the context of the Mental Health Acts? We must take the opportunity of breaking down the barrier between the prison medical service and the national health service, so that those with illness or personality disorders, whether offenders or not, are looked after by the same professionals. We shall therefore have a consistent assessment of need and risk.

Mr. Straw: I accept what the hon. Gentleman says—of course, the criteria must be clearly defined. We are talking about taking away the liberty of individuals who have not been convicted of a proportionate criminal offence. It is a very grave step to take. None of us should be under any illusions about that. It would be preposterous if we were to treat such a matter lightly.

By way of reassurance, I should like to tell the hon. Gentleman that the medical profession and mental health tribunals already have substantial experience of depriving people of their liberty where individuals with severe personality disorders are also classified as treatable; thus, this is not an area where there is no experience, and we shall seek to build on the experience that exists. I agree that an individual must be able to trigger a review—it would be unacceptable if they were not—but on a periodic basis.

I take the hon. Gentleman's point about the prison health service working more closely with the national health service. My right hon. Friend the Secretary of State for Health and I are working on plans, which we shall announce to the House in due course, to achieve that end.

Mr. Tony Benn (Chesterfield): Is my right hon. Friend aware that most of what he has said could have been read in today's newspapers, and it is an insult to the House that we should read in the newspapers a statement to be made by a Minister? Although I recognise that there is a problem here, has my right hon. Friend looked at some of the precedents: internment without trial in Northern Ireland was justified on exactly the same basis—that people who had committed no offence should be kept out of the public domain without a trial? In the Soviet Union, that practice was widely followed because it can be easily abused. Will he take very seriously the arguments that have been made, namely that these matters should be dealt with under the Mental Health Acts and the Government should not take powers that allow them to put away anyone who, in their judgment, could potentially be a danger to the community—although such people no doubt exist?

Mr. Straw: I am sorry to disappoint my right hon. Friend, but I do not accept a sentence of what he has said.

There is no parallel whatever between what I am proposing and internment without trial. For a start, internment without trial was, and always will be, the result of an Executive decision, whereas we propose a very careful, judicially based process whereby people will be detained only by a court, and that will be subject to review. Internment without trial is, moreover, outwith our obligations under the European convention on human rights, whereas we are satisfied, and I am advised, that these proposals are fully within those obligations, and are entirely compatible with article 5.1, which provides for the detention of people of "unsound mind".

It is generally acknowledged that the Mental Health Acts need to be reviewed, but I do not believe that this kind of change can wait until they are reviewed. Let me say to my right hon. Friend that what is exposed by the need for this provision is an intellectual failure within the Mental Health Acts. I suspect that even he subscribes to the view that it is right to detain people who have severe personality disorders, but are treatable. If that is so, why on earth is it wrong to detain people who are regarded as untreatable, but who continue to pose exactly the same or a worse risk to the public?

Sir Brian Mawhinney (North-West Cambridgeshire): Like most hon. Members, I welcome the right hon. Gentleman's proposals in principle. As he has reasonably said, we shall want to look at the details.

The right hon. Gentleman spoke of those who would be detained subject to occasional quasi-judicial review. Will he examine those proposals again before producing a White Paper? Depriving people of their liberty is an important and serious step, and the right hon. Gentleman might consider that, notwithstanding the Butler report, an annual review would be appropriate. He might also consider that it would help the courts if the review were conducted by an independent, mixed tribunal, consisting of both legal and health experts, which could then report independently to a court looking at an annual reflection.

I hope that the right hon. Gentleman will accept my proposals as constructive suggestions.

Mr. Straw: I accept both proposals in the constructive spirit in which they were offered. The appropriate period for review is a matter for debate, and we will canvass opinion. I hope that the right hon. Gentleman will respond to what will be a consultative document—I should make it clear that there will not be a White Paper at this stage. I think his suggestion of a mixed tribunal combining people from different disciplines is very valuable.

Mr. Gerald Bermingham (St. Helens, South): I hope that my right hon. Friend accepts that the problem is caused, first, by deficiencies in the Mental Health Acts and, secondly, by the fact that care in the community has collapsed. There are people out there who have committed no crime but who are desperately sick, and there are not the facilities or the means to treat them. Under the Mental Health (Patients in the Community) Act 1995, we have had a series of tribunals which have worked extremely well. I hope that my right hon. Friend will bear in mind the expertise that such tribunals contain, and will allow them to continue. Those who are sick should be taken out of the community, often for their own good, and such cases should be dealt with by tribunals consisting of experts in the field.

Finally, will my right hon. Friend bear in mind the fact that, when people are taken out of the community and reviews take place, not only those people but the community as a whole should benefit? If the Mental Health Acts were amended to contain simply the word "treatable" or "containable", that might go a long way towards dealing with the psychopaths who languish in prison, to the danger of other prisoners.

Mr. Straw: My hon. Friend is right to say that part of the problem arises from what we now recognise to be deficiencies in the scheme of the Mental Health Acts, and the way in which it has been implemented in recent years. I am glad that my hon. Friend supports the changes and recognises that some of these people have to be detained.

Mrs. Angela Browning (Tiverton and Honiton): What consideration has the Home Secretary given to existing mental health services in our prisons? I am not talking about psychiatric secure units, where one would expect to have the right level of staffing. He will know that many people who are detained and then say, as they are about to be released, that they believe that they will be a risk, will be the easiest cases to identify, but, throughout our Prison Service, there is very patchy provision of mental health services for serving prisoners. What will he do to ensure that there is proper diagnosis and intervention by appropriate staff while people who could fall into the category that he outlined are serving sentences in mainstream prisons? I must say also that I welcome his proposals.

Mr. Straw: I am grateful to the hon. Lady for what she says. She is right to say that current mental health provision is patchy. It improved under the previous Administration. We have tried to do the same. About 750 prisoners have been transferred, following proper diagnosis, from the Prison Service to the national health service while they have been detained. None the less, we accept that the system has to be improved. We have had good advice from Sir David Ramsbotham, chief inspector of prisons for England and Wales. As I said to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), that factor is one of the many reasons why we seek to ensure at every level that the prison health service and the national health service work much more closely together.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend will accept that there are no clear clinical definitions of severe personality disorder and that many of those people will not be treatable in the normal sense. Therefore, will he not only ensure that anyone who is committed under the system undertakes more than the normal medical examination under the Mental Health Acts, but seriously consider where such a person will be confined?

The proposal is an abuse of human rights, but many of us believe that it will be justified because of the danger that those very difficult people pose to the community at large. However, before such a change in the law takes place, we must be clear that there cannot be mistakes, that there must be a ready and rapid way in which to put any problems right and, above all, that what happens to those people occurs in a context that can be easily defended and properly policed.

The categories will include not just people coming out of prison or mental health services. It is not acceptable to put extra pressures on to the medical profession, expecting it to cope with people who are not treatable.

Mr. Straw: It is becoming clear—it was obvious from the Fallon report into Ashworth hospital—that there is a substantial debate among clinicians about the nature of treatability. Some clinicians take a very narrow view of that; the trend has been towards that view. Others take a much wider view. I could quote, for example, Professor Ronald Blackburn, professor of clinical psychology at the university of Liverpool, who has said that there is insufficient evidence to support the opinion of some clinicians that nothing works with this group.

It is as wrong in psychiatric medicine to regard treatability as something that is fixed in time, as it is in any other sort of medicine, whether oncology or another specialty. As the science develops—the science not only of psychiatry, but of clinical psychology and many other disciplines—a condition that we previously regarded as wholly untreatable may become treatable. We always have to bear that in mind.

Above all, the argument for this change is that of the safety of the public. That has to be the paramount consideration.

Mr. Humfrey Malins (Woking): May I also offer my support to the Home Secretary for what he has said? This is a difficult area.

Who will originate the proceedings: the police or others? Does the right hon. Gentleman envisage that they will be heard in a magistrates court, Crown court or any

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other court? Does the Home Secretary agree that they should be heard in public? Does he also agree—particularly as those who will appear, including those with no previous convictions, may be very poor—that, throughout the matter, any defendant, for want of a better word, should have full rights to legal and other representation and legal aid?

Mr. Straw: Depriving individuals of liberty in such circumstances for an indeterminate period—certainly, in most cases, it would be much more than the 12 months' total maximum that a magistrates court could impose—is a very serious matter and would have to be dealt with by the higher courts. We have to consult on whether the appropriate court is a Crown court, with all its connotations as the court in charge of criminal proceedings, or whether the matter is more appropriately dealt with under the aegis of civil courts. In the consultative document, we shall consider that matter, and the issue of who will originate proceedings; that could vary, as an inmate's propensity to reoffend might come to the attention of the Prison Service, the police, or mental health services, in the case of someone who had not committed any offence known to police but who should still be subject to such an order.

Ann Clwyd (Cynon Valley): I am glad that my right hon. Friend is consulting widely, and also that he is supporting further research into the subject. May I tell him that I sat for many years as a lay member of a mental health tribunal, and that I found it a most difficult job to decide who was sane, who was not sane, who should be confined in hospital and who should be released? After many years of observation, I found that people who were locked up in hospital were far saner than those on the other side making the decision. It is a matter not only of treatability but of how initially we assess severe personality disorder. Among health professionals, there is an argument about making such assessments. I am concerned also, of course, about putting people in prison—locking them up—on the basis not of what they have done but of what they might do. I am sure that my right hon. Friend will agree that it is very difficult—perhaps it is the most difficult thing of all—to prove that one is not dangerous.

Mr. Straw: I accept the gravamen of what my hon. Friend says from her experience. There is no question but that this is a very difficult matter, and that we have a gap in provision precisely because it is so difficult. However, the result—about which there is no argument—of the gap is that there are very dangerous, personality disordered people about who, if they are not detained, will go out and commit further offences. Some of those people themselves know that they will commit further offences. Hon. Members on both sides of the House have had detailed dealings with some of the offenders and with some of those who have had to advise them. Some of the offenders themselves have begged for the security of detention, because they do not trust themselves not to commit the most serious offences.

Strangely enough, as well as owing it to the public, we owe it to those offenders to provide incarceration. At the margin, there are other offenders about whom there will be an argument. Diagnosing the condition is very difficult. That task is not made easier by the fact that many of those individuals are masters of deceit, in deceiving not only others but themselves. However, we have to use the best skills available to do the best job we can.

Mr. Robert Key (Salisbury): I thank the Home Secretary for finding what seems to be a sensible way through a tangled web and also his officials, for the way in which they have dealt with individual cases. Certainly in the case in my own constituency and South Swindon, it was of enormous benefit that the Member of Parliament was included in the early-warning system. In the early stages, there was a serious lack of co-ordination, which was much helped by ready access by a Member of Parliament to the Home Secretary and his team.

Will the Home Secretary consider also the matter of funding and of what happens after a decision is taken? If a prisoner nearing release is instead re-detained, is it fair that the cost of keeping him or her inside an institution should be borne by the local health authority rather than by the Home Office? That is a genuine problem.

Mr. Straw: I am grateful to the hon. Gentleman for his remarks, particularly his approbation of the work of my officials, who have worked very hard indeed with local police and local probation services to ensure proper consultation with local Members. I should say that I had him, some other Conservative Members and some Labour Members in mind when I thanked hon. Members for the very responsible approach that has been taken to the matter, despite the huge public pressure in their areas and demands for extreme action, which of course could not be delivered. The hon. Gentleman raises an important point about funding. We must consider that, because I accept that the current arrangements are unsatisfactory.

Mr. Win Griffiths (Bridgend): I welcome what my right hon. Friend has said, and I believe that he has recognised that this is an incredibly difficult area in which to come to the right solution. One issue that worries me—it has been alluded to by others—is the physical resource of the trained and qualified forensic psychiatrists and clinical psychologists in a range of services. We know that hundreds of people languishing in prison should be receiving treatment in medium or highly secure units, but that there are no places for them. What steps will be taken during the consultation to look at the skilled professionals who will be needed for the work? In Wales, what consultation will take place through the Welsh Office and, later, the Welsh Assembly?

Mr. Straw: As my hon. Friend intimates, this discrete issue is only one part of a range of necessary reforms to mental health provision in England and Wales. My hon. Friend may know that my right hon. Friends the Secretaries of State for Health and for Wales have announced expenditure of more than £700 million on improvements to mental health services in England and Wales, which will have some impact on the wider problem that my hon. Friend raises.

Mrs. Virginia Bottomley (South-West Surrey): With others, I welcome the statement today, but I share the reservations—first, on the difficulties of cost shunting.

One of the problems of severely mentally ill offenders is that they are unloved by the prison or the health authorities, and they are extremely costly to care for. Will the Home Secretary look at that issue during the consultation?

May I associate myself with those who have referred to civil liberties? The Government are known as effective followers of fashion, but this is an issue where the loophole needs to be closed. We could have a situation where an individual's civil rights were overlooked and where people were incarcerated and forgotten in the long term. At a time when legal, prison and health services are creaking under the strain of additional expectations and constrained resources, I hope that the Home Secretary will make sure that this is an area in which we deliver, and that his statement is the beginning, and not the end, of his initiative.

Mr. Straw: We will deal with cost shunting, and we are proposing a range of options in the consultation document on how the new service should operate—including whether it should be a separate service or a combined one under the health and prison services—precisely to cope with that issue. Although I made the statement today, the fact that it is a joint statement by my right hon. Friend the Secretary of State for Health and me shows our close working relationship with the Department of Health. Whatever other charge is made against me, I cannot be accused lightly of being a follower of fashion.

The Minister of State, Home Office (Mr. Paul Boateng): Certainly not.

Mr. Straw: My hon. Friend the Minister, who is a follower of fashion—although he is not wearing his Ozwald Boateng suit today—says, "Hear, hear," to that.

The right hon. Lady is right: we must be conscious of individuals' civil liberties. This is a serious step that should be taken only where the gravest risk to the public is shown to be likely. Under the comprehensive spending review, substantial sums are being invested in the Prison Service to improve regimes and to improve the possibility of treatment for at least some of those people while they are incarcerated.

Mr. Tam Dalyell (Linlithgow): May we return to the topic raised by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) on the pressures on medical staff? In particular, will the Home Secretary clarify what he said in his statement about compulsory post-release supervision? Is it not all too easy to be lulled into complacency? Is not hindsight a very wonderful thing? What will be done to help staff who have made errors of judgment? None of us has perfect foresight, and staff can often get into great difficulty with people who do not understand the problems of such judgments. Will some help be given to medical staff in such circumstances?

Mr. Straw: I hope that such help is given. My hon. Friend is right to raise the issue. We should not condemn medical staff for trying to operate the Mental Health Acts on inadequate and flawed criteria. Having hindsight is easy. Even if the changes that I am proposing are acceptable to this House and the other place, some people will slip through the net. This is not a counsel of perfection; it is an effort to improve on the current situation. My hon. Friend is also correct to refer to supervision after release. We hope that as many individuals as possible will go back into the community under supervision when it is judged safe for them to do so.

Mr. Crispin Blunt (Reigate): Given the warning of the hon. Member for Cynon Valley (Ann Clwyd) about the difficulty of diagnosing severe personality disorder and the fact that we have a "something must be done" society, shown by the mentality of the tabloid press, will the Home Secretary bear in mind the enormous pressure that will be put on those who have to assess whom to incarcerate in an attempt to eliminate all risk to society? One of the prices of a free society is the acceptance of risk.

Mr. Straw: That is very important. We cannot eliminate risks; we can only do our best to reduce risk. That is the purpose of the proposals.

Mr. David Winnick (Walsall, North): No one is likely to dispute the need to defend the public against those who undoubtedly suffer from the personality disorders that my right hon. Friend has described. However, does he accept that there is bound to be unease—this has already been expressed by hon. Members on both sides of the House—over the possibility of abuses and the nightmare scenario of finding in 25 years' time that someone has been wrongfully detained from the beginning? The House should be concerned with individuals as well as with the general public. If the powers are to be taken, is it not essential that there should be sufficient safeguards to make it difficult for the mistakes that I have mentioned to occur? There must be regular reviews and people who have been detained without committing an offence must be represented. It will be difficult to be fully satisfied, but the review system should be sufficient to make us reasonable satisfied that the rights of individuals will not be abused.

Mr. Straw: My hon. Friend raises an important point. As I have said, we have to ensure that there are safeguards. The regular reviews—I have talked about them occurring every year or two—should make it impossible for someone to be wrongly detained for 25 years. An individual may protest for 25 years that he has been wrongly detained, but the decision will be for the court or tribunal, which will regularly review the situation.

Mrs. Jacqui Lait (Beckenham): Does the right hon. Gentleman agree that a blanket condemnation of care in the community as a failure saddens and angers the many thousands in the community for whom it has been a success and the volunteers and professionals who look after them? Does he anticipate a change in the balance of care for those with severe personality disorders away from incarceration—which his statement reeked of—towards a more therapeutic community and a greater provision of secure accommodation in the health service?

Mr. Straw: I do not for a second condemn or criticise those who have the care of the mentally ill in the community, but my right hon. Friend the Secretary of State for Health has said that, in his judgment, care in the community has failed vulnerable people. I, too, have long

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held that view, not least from my constituency experience. The hon. Lady and I may disagree on the matter, but I do not regard current provisions as satisfactory.

On the provision of therapeutic environments, I made it clear that, although the individuals concerned are, by definition, all currently classified as "untreatable" under the Mental Health Acts, we should not write them off and every effort should be made to treat them in the best possible way and to involve not only those from the psychiatric profession but clinical psychologists and many others.

Points of Order

4.16 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Since your 12 o'clock meeting, there have been reports of civilian casualties and of further military action over Iraq. Ought it not to be made clear to the House whether we are in a state of war? If we are not, and there is a direct hit or a malfunction by a Tornado, the pilots, British or American, will be in a simply parlous position. Have you had any request from the Foreign Office to make a statement either about the military situation in Iraq or about the reports of Iraqi threats against Saudi Arabia and Kuwait? Perhaps this is a matter of paramount importance.

Madam Speaker: I have not had any request from the Foreign Office to make a statement today on that issue. We have tomorrow to look to, but, as far as I know, there is no statement forthcoming.

Mr. Michael Fabricant (Lichfield): On a point of order, Madam Speaker. Have you read the report by Oxford Economic Forecasting and the London business school, stating that we are already technically in a recession? Have you received any request from the Chancellor of the Exchequer to come to the House and explain how a golden economic legacy could have been so quickly transformed?

Madam Speaker: I fear that the hon. Gentleman is seeking to prolong debate rather than to raise a point of order. Let us move on.

Orders of the Day

House of Lords Bill

Considered in Committee.

[SIR ALAN HASELHURST *in the Chair*]

Clause 1

EXCLUSION OF HEREDITARY PEERS

4.18 pm

Sir Patrick Cormack (South Staffordshire): I beg to move amendment No. 1, in page 1, line 5, leave out 'a member' and insert

'entitled to vote in a division'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 23, in page 1, line 6, at end add

', except that holders of an hereditary peerage shall enjoy the same rights as any other member of the House of Lords (including the right to speak and vote) during any debate on a Bill containing any provision to extend the maximum duration of a Parliament beyond five years.'.

No. 10, in title, line 1, leave out 'End' and insert 'Restrict'.

Sir Patrick Cormack: I thank the President of the Council for so readily accepting that this Bill, perhaps above all others, is one that should be taken in all its stages on the Floor of the House. I am delighted to see her here. Having said that, there is little else on which I can congratulate her. The amendments have one aim in view: to make a bad Bill better.

Now is not the time to repeat all the arguments that were advanced on Second Reading a fortnight ago, but it was clear from that debate that the Government had moved far too hastily and introduced a Bill without giving proper thought to its consequences or any thought whatever to the consequences of stage 2. I recognise that it is not appropriate for us to debate stage 2 in detail, or even at all. I shall, therefore, concentrate my remarks entirely on stage 1. Amendment No. 1 is designed to try to ensure that the interim House of Lords has quality and can still perform as effectively as the present House, and that there is some continuity.

The amendment's aim is not to challenge the Government on the hereditary peers' right to vote, but there is a great deal to be said for allowing hereditary peers to sit in the interim House of Lords and to perform the duties in which many of them have been conspicuously successful over the years. On Second Reading, I pointed out that 40 per cent. of the regular attenders in the House of Lords are hereditary peers. We owe them a debt of gratitude for their hard work, and I was glad that the Parliamentary Secretary, Privy Council Office, who wound up the debate on Second Reading, accepted that without equivocation. If that 40 per cent. are not allowed to attend the House after the Bill's passage, there will be a large, consequential burden on life peers.

We have to remember that we are discussing not paid legislators, but those who have a high ideal of public service. The average peer costs the taxpayer some £6,400 a year in allowances. Although we in this place are not paid a king's ransom, we are paid significantly more than that. There is hardly a peer in the other place who draws more than £10,000 in allowances. We are dealing not with full-time legislators, but with people who give their time, talents and expertise, often in specific areas where they have particular knowledge, and do so entirely selflessly.

In recognising that fact, we must recognise the type of Chamber that the other place is. Parliament has two main functions. One is to hold the Executive to account and the other is to scrutinise legislation. Nobody could argue that it is not appropriate that the holding to account should be done particularly in this Chamber, where the elected representatives of the people, day after day in Question Time and other forums, have the opportunity to call Ministers to account.

Equally, one could not argue with any great conviction that our powers of scrutiny are exercised as effectively as they should be. Whole swathes of legislation, particularly secondary legislation, are never adequately debated in this Chamber, but much of that legislation is effectively scrutinised in the other place. In the previous Session, for example, 3,963 amendments were passed in the House of Lords. There were only 179 Divisions in the Lords during the whole Session, of which the Government won 134—about 75 per cent. Those Bills were subjected to a degree of scrutiny and attention that they did not receive here. That scrutiny came not only from life peers, but from hereditary peers, who play a substantial part in the positive work of improving legislation.

It is easy to single out certain hereditary peers as being exemplary, both in their attendance and their achievement. I have no desire to delay the Committee inordinately by going through a catalogue of such peers, because we desire not to hold up the Bill's passage, but to subject it to proper scrutiny.

Mr. John Bercow (Buckingham): Did my hon. Friend notice that, when he was paying justified tribute to the selfless public service and excellent scrutiny provided by hereditary peers, the hon. Member for Harlow (Mr. Rammell) was snorting in disapproval? Does my hon. Friend think that, if Government Back Benchers do not want similarly to pay tribute, they ought to explain by what, if not public service, hereditary peers are motivated and whether Labour's game plan is to reduce legitimate scrutiny in future?

Sir Patrick Cormack: I thought that the hon. Member for Harlow (Mr. Rammell) had a rather bad cold, but of course everyone should pay proper tribute to selfless public work—and those who selflessly do it.

Mr. Bill Rammell (Harlow): I thank the hon. Gentleman for giving way and allowing me to clarify my snorting. It was in response to the disingenuousness of Conservative Members, who defend the hereditary principle on the ground of public service, when in fact they are defending their vested party political interests.

Sir Patrick Cormack: The hon. Gentleman could not get it more wrong. I have never defended the automatic right of every hereditary peer to sit in the House of Lords or the built-in majority. In 1984, long before the hon. Gentleman came to this place, I sought leave to introduce

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a private Member's Bill to that effect, under the ten-minute rule. It was opposed by the Leader of the House, among others, and was not allowed to go further. Many Conservative Members have felt for a long time that there is nothing incompatible in saying that we do not defend the automatic right of hereditary peers to sit in the House of Lords or an in-built majority for any party, while recognising the very real work that many hereditary peers do. They are not in the House of Lords through their own fault, but they are there: many accept the challenge and opportunity for public service that the House of Lords provides and respond in a truly public-spirited manner.

I was about to offer two examples, and now I shall do so; both involve Cross-Bench peers. Last week, some parliamentary awards were given out: at least one distinguished winner is in the Chamber this afternoon, and I pay tribute to the right hon. Member for Chesterfield (Mr. Benn). Although the Peer of the Year award went to Lord Mackay of Ardbrecknish, who is a life peer, the short list included the Countess of Mar. She is a Cross-Bench hereditary peer and has done as much as anyone in either House to draw attention to certain dangers, including the sheep dip problem, which she has made very much her own. People all over the country have great cause to be thankful to her.

My second example is very different, although it involves another hereditary peer. Lord Freyburg is, at 28, still a very young man, and he was 22 when he took his seat. When he entered the House of Lords, he made it his mission to do something about pensions for war widows. He succeeded in persuading my right hon. and hon. Friends in the then Conservative Government to go along with him—a very notable achievement for a young man.

I could cite many other hereditary peers whose service has been, and is, exemplary.

Angela Smith (Basildon): I think that the hon. Gentleman is missing the point of the debate. No Labour Member would criticise the contribution of any individual hereditary peer: we are critical of the fact that hereditary peers make that contribution with no legitimacy.

Sir Patrick Cormack: I could ask the hon. Lady to define legitimacy, and whether it exists only in this Chamber. However, I shall not be led astray as you would probably rule me out of order Sir Alan. I want merely to develop an argument and to explain why we have tabled the amendment.

An extremely important aspect of the work of the House of Lords is the work done in Select Committees. There are some extremely important Committees in the House of Lords, and perhaps pre-eminent among them are the Select Committee on Science and Technology and the Select Committee on European Communities. Both Committees have done work of incalculable value. On the Science and Technology Committee, there are currently five hereditary peers, and on the European Communities Committee, there are 10, out of 20 members. There are, incidentally, only five Tories between the two Committees.

4.30 pm

During the past Session, the European Communities Committee produced 50 reports, and the Science and Technology Committee produced 16. Those reports ranged over a variety of subjects of real importance. If hon. Members are not familiar with the range of reports, they should try to make themselves so. In a single Session, there were reports of seminal significance on the European ombudsman, the European Union gas directive, EU water policy, Europol, sustainable landfill, aid to shipbuilding, student mobility and airline competition. I could go on and on.

The Science and Technology Committee produced reports that attracted worldwide attention in some cases, including reports on the management of nuclear waste, the scientific and medical evidence on cannabis, digital images as evidence and clinical academic careers.

Dr. Phyllis Starkey (Milton Keynes, South-West): Is it the point of the hon. Gentleman's argument that those Committees would be unable to do that work if their members were life peers only? In particular, is he suggesting that of the Science and Technology Committee, which relies largely on those of its members who have direct scientific experience?

Sir Patrick Cormack: Some of them, including the chairman, are, of course, hereditary peers. The point is very simple, and I hope that the hon. Lady can grasp it. If we withdraw hereditary peers quickly from those Committees, the Committees will suffer. The burden of work is considerable: the European Communities Committee will meet seven times in 17 days during February. The Committee is carrying a heavy burden, and it would be extremely difficult for the life peers alone to sustain the whole extra burden.

In the amendments, we merely suggest that those who have given distinguished service should be allowed to continue to do so.

Mr. Stephen Twigg (Enfield, Southgate): Is the hon. Gentleman arguing that, after a general election in which someone with expertise has lost his or her seat, he or she should be entitled to retain a seat in the House of Commons, without voting rights, on the basis that we should not want to suffer the loss of expertise?

Mr. Tony Benn (Chesterfield): An excellent point!

Sir Patrick Cormack: It is a superficially attractive point, but, when my former colleague, Michael Portillo, lost his seat, he was replaced by the hon. Member for Enfield, Southgate (Mr. Twigg). We are talking about an interim House in which those who will be obliged to leave the House of Lords will not be replaced. There is no suggestion that there should be an immediate and massive creation of life peers. The Government have not thought through the consequences of their actions.

The amendment relates only to the interim House. We want stage 2 to follow the interim House, and we want that stage to be arrived at by consensus if possible. Until stage 2 occurs, however, there is work to be done and a great burden to be sustained. Those who will be left to sustain that burden will find it extremely difficult to do so.

Mr. Mike Hancock (Portsmouth, South): If, heaven forbid, the hon. Gentleman's amendment were carried, how would the new Chamber operate for those non-voting hereditary peers? Who would be called to speak? Would those who have a vote be given priority in speaking in debates, or would speeches be made by all comers under the system that operates in the House of Lords at present? There could be an imbalance between those who participated in debates and those who voted.

Sir Patrick Cormack: The House of Lords regulates its own business in, some people would say, a rather more satisfactory way than we do, in that those who wish to speak in a debate put down their names and know that they will be called. Those with a particular knowledge, specialty or expertise put down their names, and the quality of debates in the other place is thus extremely high. Looking through Lords *Hansard*, I found a particularly good example of that last week in a debate on the arts. Whether the debates are on the armed forces, in which former field marshals can take part; on the arts, in which former performers, great musicians, artists and others can take part; or on commerce, in which many captains of industry can take part, the quality tends to be extremely high. What I am saying to the hon. Member for Portsmouth, South (Mr. Hancock) is that we are concerned to maintain that quality.

As I said a moment ago, we are talking not about stage 2, but stage 1, or the interim stage. We are fearful that, if many people who have much to contribute, and who have contributed much over the years, are suddenly obliged to withdraw, the quality of work at the other end of the Corridor will not be what it has been hitherto. I cannot emphasise too often or too strongly that we are concerned with phase 1. We are not seeking to anticipate the debates that this Chamber and the other place will rightly have about stage 2.

We have to await the report of the royal commission. Conservative Members are also waiting for the Mackay commission. Lord Hurd is a member of the Mackay commission and is now a member of the royal commission, and will be a useful link between the two. However, we do not know what either body will say.

In the debate a fortnight ago, we heard 37 or 38 Back-Bench speeches, and it was clear that there were 37 or 38—probably 47 or 48—different views about what should emerge in phase 2. That applies equally to both sides of the Chamber. There was not a common thread. There were unicameralists, those who favoured a direct or indirect election, those who favoured a mixture, and those who favoured a nomination system. We shall have the opportunity to debate those alternatives, but we are currently debating what I hope is going to be an orderly transition, and the aim of the amendment is to make it more orderly than it would otherwise be.

We have to have regard to the quality of work done by the other place. Let me turn again to its European Communities Committee. This Chamber does not scrutinise European legislation as effectively as it might. That is no criticism of the hon. Member for Clydesdale (Mr. Hood), who puts in a tremendous amount of time and effort to chair our European Scrutiny Committee. He and I have had discussions about it on the Floor of the House and privately, and there is not much difference between us. The massive amount of legislation coming from Europe means that it is difficult for hon. Members adequately to scrutinise it because of the many other pressures on them.

The Committee in the other place, which has various Sub-Committees, produces reports which are reckoned throughout Europe to be exemplary. Indeed, they are frequently held up as the best example of scrutiny of European legislation—better than that provided by the European Parliament itself, although that may not be difficult. Half the members of that Committee are hereditary peers, and all we are saying is that, for the transitional period, they should be able to continue to give of their time, talent and expertise.

In addition, the Committees in another place tend to have a more constant membership than Committees of this place. Hardly a week goes by without one noticing on the Order Paper motions to remove one hon. Member from a Committee and to replace him or her with another. That is fine—we understand why it happens—but the House of Lords tends to appoint its Committees for a whole Parliament, and members who are not experts therefore tend to become specialists.

Mr. Tam Dalyell (Linlithgow): The hon. Gentleman referred to the Mackay commission. When Lord Mackay was at the Scottish Bar, he had a reputation for being a phenomenally fast worker. Out of curiosity, when are his pearls of wisdom expected?

Sir Patrick Cormack: Soon, and I think that that will prove a more accurate "soon" than those that we often get in answers from the Government. I think that the hon. Gentleman will not have to contain his impatience beyond Easter, and that Lord Mackay's report will demand the most careful consideration. I do not know what his commission will recommend. I have no idea whether it will recommend one solution, or give us two or three alternatives to discuss. It would be discourteous, to put it no higher, to come to a definitive conclusion about the shape of the other place in phase 2 until we have seen what that hard-working commission will recommend.

Mr. David Winnick (Walsall, North): If an amendment along the same lines as that for which Lord Cranborne got the sack from the Leader of the Opposition is carried in another place, and duly supported by the Government, in allowing 91 hereditary peers to remain, it would surely meet all the hon. Gentleman's arguments. I suspect that he is really saying that he does not want any change.

Sir Patrick Cormack: No. It is unfair of the hon. Gentleman to say that, given my track record on such matters. An amendment similar to that to which he referred is on the amendment paper, has been selected and will be debated later. I must not anticipate that debate. My proposal is in many ways a better alternative. The so-called Cranborne amendment—the Weatherill amendment as we call it—was the product of no deal to which we were party. It was a suggestion that would make a bad Bill better. We will deploy those arguments tomorrow.

I am discussing something that would at a stroke make the Bill very much better and enable us to proceed very speedily if the Government were minded to accept it. If they are not minded to accept it, they stand convincingly charged with constitutional vandalism of a high order. The Leader of the House can smile and scoff, but to destroy something of proven worth without saying what will be put in its place is indeed constitutional vandalism.

[Sir Patrick Cormack]

Our constitution is a finely balanced mechanism like a wonderful clock. If one part of the mechanism is removed, the whole thing stops and is thrown into disarray. We are playing dangerously with a constitution that has evolved over many centuries. It is permissible for Labour Members to say that they wish to get rid of the hereditary peers' voting rights. This amendment does not challenge that; we are saying that there must be an orderly period of transition which recognises what has gone before and the public service, in the best sense of that term.

Dr. Tony Wright (Cannock Chase): I do not normally associate the hon. Gentleman with exaggerated rhetoric, but I am at a loss to understand him. The Government say that they are minded to accept an amendment from another place allowing the continuation of a number of hereditary peers during an interim period, and they have set up a royal commission chaired by a Conservative peer. That may be described as constitutional generosity of a high order, but certainly not as constitutional vandalism.

Sir Patrick Cormack: The whole approach of the Government is constitutional vandalism. The Leader of the House made an extraordinary statement on Second Reading. She said that if the so-called Weatherill amendment came before this Chamber, as it will more or less, she would be minded to ask her right hon. and hon Friends to vote against it. If it were tabled in the other place, it would possibly be voted for. When it returned to this place, the right hon. Lady's right hon. and hon. Friends would, presumably, be asked to stand on their heads. That would be an interesting constitutional spectacle She is using this proposal, which is being held out as a sort of prize, to try to—I choose my words with extreme care—bamboozle, if not blackmail, people into accepting the Bill without adequate and proper scrutiny.

4.45 pm

The Chairman: Order. I am sorry to interrupt the hon. Member but, against his better judgment, he has been led into territory covered by a later amendment that I have selected. I suggest respectfully that he returns to the main core of his argument on this group of amendments.

Sir Patrick Cormack: I stand well rebuked, Sir Alan. I was being led astray, and we shall deal with the amendment to which you referred later.

In the other place, we have a group of men and women who represent 40 per cent. of those who regularly attend on House of Lords affairs, and who make a significant contribution to the legislative process by their attendance. During the transitional period, they should be allowed to continue to attend and to give of their expertise, time and talents, but not to vote. The proposal is very modest.

Mr. Bowen Wells (Hertford and Stortford): Is not another feature of hereditary peers that they have not been selected by the political party to which they belong? Indeed, they may not belong to any political party. Therefore, they give a view that is not whipped, corralled or bullied, and what they say in Committees, such as the European Communities Committee, has greater credibility and acceptability to many of the readers of the reports. It would be a very good idea to retain such peers for that reason alone.

Sir Patrick Cormack: My hon. Friend makes an extremely good point. One of the reasons why I find the elected solution less than entirely persuasive is that it is difficult to envisage the election of Cross Benchers. My fear is that party considerations would become much more dominant in an elected upper Chamber. I must not be led astray, although my hon. Friend's point is good, and certainly supports my arguments.

Amendment No. 23 would allow hereditary peers to speak and vote in the House of Lords whenever it debated a Bill to extend the maximum life of a Parliament beyond five years. That is very important constitutionally. Both the Parliament Act 1911 and the successor Parliament Act 1949 contain a provision which expressly reserves total powers for the House of Lords when dealing with such a Bill. There is no time limit or veto to make such a power temporary. We think that it is entirely proper and expedient that there should be such a provision in this Bill, given the Government's huge majority. If amendment No. 23 is drafted defectively, it is for the President of the Council and her colleagues to point that out. We hope that there can be no serious disagreement on the need for such a safeguard.

I commend both amendments to the Committee and I hope that the Committee will be minded to accept them. I am inclined to divide the Committee on both amendments if the Government are minded not to accept them.

Mr. Hancock: We have heard an interesting attempt to defend the indefensible, or to pull something out of the can at the eleventh hour to save a few friends in another place. I share the view of the hon. Member for South Staffordshire (Sir P. Cormack) that some Members of the House of Lords do first-class work. As a Member of this House representing this Parliament in the Council of Europe, I work regularly with Members of the House of Lords who work long and hard in the service of that organisation. The likes of Lord Judd, Lord Ponsonby, Lord Grenfell, the Earl of Dundee and Lord Russell-Johnston have all done excellent service, and some of them continue to do so.

The hon. Member for South Staffordshire spoke of service, credibility, loyalty and knowledge of the task. The Earl of Dundee is a classic case of the Tories preaching one thing and delivering another. Members of the Council of Europe from the 40-odd nations represented there get to know one other, and few of them would deny that the Earl of Dundee was an active member who was well informed, widely respected and did a great deal of work. One can imagine the surprise of colleagues not only in this House but elsewhere when the Conservative party removed him from the Council of Europe, with no explanation to his colleagues and very little to him.

That was a classic example of a Tory peer who was totally committed to a cause, with a great deal of working knowledge—the very expertise that we are told is invaluable and that we would be foolish to lose—whom his own party was prepared to crucify, probably on the pretext of giving someone a little European experience before that person was proposed as a Commissioner. That is what I would say if I were cynical, because it was rather strange to see the person who succeeded him.

The hon. Member for South Staffordshire argued the need for such peers to be in the House of Lords, but he gives no credit to the people who will in fact be there—life peers and those hereditary peers who will gain access to that House again by being created life peers for the duration of the first stage of the reform. The hon. Gentleman underplayed their role in the future governance of this country and in the reform process.

It will be up to the hon. Gentleman's party to select such people to go forward, and it would be a foolish party if it were not careful in that selection. The party should encourage those who will make the selection to select the very people about whom the hon. Gentleman was speaking. I imagine that few of them will not be included among those who are to remain, so that expertise will not be lost.

Sir Nicholas Lyell (North-East Bedfordshire): The hon. Gentleman is focusing on an important point. He suggests that few Members of the other place would not be among those to be made life peers after the change proposed by the Bill. However, if he considers the list of Members of the House of Lords—Conservative, Labour and Cross-Bencher—who play a role in Committee or in debate that is significant because it relates to their own area of expertise, he will find that that amounts to about 200 hereditary Members of the upper House. Does the hon. Gentleman suggest that that many are likely to be created life peers? Does he not recognise that the contribution of all those who are not created life peers will be lost?

Mr. Hancock: The right hon. and learned Gentleman defends the indefensible, as did the hon. Member for South Staffordshire, who failed miserably to convince the Committee. There is no credibility in that argument. If the political system in this place and the other place cannot come up with the right calibre of person who has the relevant expertise and commitment to the job in the period between the first stage being agreed and implemented and the second stage being seen through, that does no credit to the colleagues of the right hon. and learned Gentleman or to any of the other parties.

I am sure that those Members who are selected to continue to serve will be selected from those who have the relevant expertise. However, we cannot always have everyone whom we want, and my mind goes back to the point made by the hon. Member for Enfield, Southgate (Mr. Twigg). Like him, I was somewhat bewildered. I sensed that the hon. Member for South Staffordshire would move on to what happens in this place. I was a Member in the 1980s when I lost my seat by a couple of hundred votes. I was very disappointed. I believed that, during my three years here, I had put together a certain amount of expertise. I would have welcomed the opportunity to be allowed back to say so. However, I rightly accepted that I had to go on to do other things. The expertise that I put together was as much a loss to the House as it was to the constituents who ceased to have me as their Member of Parliament. Nevertheless, we must live with that. That is the harsh reality of political life.

Mr. Wells: The hon. Gentleman's constituents decided that.

Mr. Hancock: The hon. Gentleman says that from a sedentary position but the fact is that the electorate has put me back. The same constituents have re-elected me. The fact that they gave me a 10-year sabbatical might have been for my benefit, to enable me to gain even more expertise to do a better job in the House of Commons. The process certainly led me to believe that the system works. It is a deliverable system. However, I did not like being denied the opportunity to come to this place.

Mr. Dominic Grieve (Beaconsfield): Is it not the position that the hon. Gentleman was sent to the House originally to represent a constituency? He lost the power to represent that constituency by the will of the electors and was removed. However, that is not the situation that pertains in the other place. All those who are there are asked to attend to represent themselves because of a purported status, whether it be hereditary or because of a particular expertise. Therefore, the hon. Gentleman's arguments do not work.

Mr. Hancock: That is a very good point. There is this thing about representation. I was convinced that the hon. Member for South Staffordshire, who is very good with words, had used the wrong word when he talked about hereditary peers representing people. They have not been representing anyone. It appears that they were not representing a party on most occasions. They were simply representing themselves.

We surely do not believe that there are experts outside this place and the House of Lords who could not help us in some way. Time and again, we find a way to enable that expertise to be used in Select Committees. They happens whenever they meet. They bring outside expertise into the House. They offer experts outside the opportunity to share their expertise with Members of this place and the House of Lords. Having done so, they move on, or return to their role in life outside Parliament.

If we are talking about representation, let us soon have a place that is wholly representative so that the people can feel that they elect Members of this place and of the second Chamber. I am bitterly disappointed that we are going through a staging process, and that is why I hope that the Committee will defeat the amendment.

My mind returns to when the hon. Member for South Staffordshire talked about—

Sir Patrick Cormack: We shall go through the staging process, as the hon. Gentleman calls it, with or without the amendment. We shall not go straight to stage 2. It was always the Conservative party's argument that the Government should decide what it wanted to replace the House of Lords with, should tell the House of Commons and should then get on with it. They have not done that and so we must go through the interim stage. There is no alternative.

Mr. Hancock: I accept that entirely. However, I am disappointed that we must go through a staging process.

[Mr. Hancock]

I would have much preferred the big bang. I supported the view that was expressed by many hon. Members on Second Reading, and I certainly shared their disappointment. It was not beyond the wit of the House or that of the Government to produce proposals to achieve what we had in mind. I am sure that the overwhelming majority of the British people would have supported that move. However, according to some hon. Members, having to have a staged process is not a reason to deprive Members of the House of Lords, who will not be able to vote, of the opportunity to participate in debates.

Mr. Wells: Is not the hon. Gentleman overlooking a very important point? The amendment is an attempt to improve the interim House which may, like many things in British life, be far from temporary or interim. It may be almost permanent and last 50, 60 or 70 years. Therefore, it is important to have the quality in the interim House to carry us through, if needs be.

5 pm

Mr. Hancock: I hope that the hon. Gentleman's suggestion does not come to fruition. I rather like the glint in the eye of the Leader of the House, which suggests that 50 years might be a tad of an exaggeration for the staging process. Most of us hope that we will resolve those issues in the lifetime of this Parliament and that, certainly by the start of the next Parliament, we will be well on our way to having two democratic, truly representative Houses representing the people of this country. Anything short of that will, in my opinion, be seen as failure. If we are to have a staging process, we have to make the best of what we have.

Mr. David Heath (Somerton and Frome): Does my hon. Friend find slightly offensive, as I do, the imputation from certain Conservative Members that quality is a synonym for hereditary peers and that quality can be achieved only by accident of birth? I reject that notion entirely—it is quite unfounded. I suspect that the hon. Member for Hertford and Stortford (Mr. Wells) would not welcome any person off the street on to his Select Committee, to leaven the discussion and to provide that independence. Why does he apply that principle to hereditary Members of the House of Lords?

Mr. Hancock: I could not agree more with my hon. Friend's intervention; it says a lot in respect of the presentation that we have heard on Second Reading and in Committee. Anyone outside the House who read the amendments would think that some sort of surreal pantomime was taking place here—

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): One is taking place.

Mr. Hancock: Yes, and others might argue that we are beyond satire today. What some hon. Members are trying to perpetuate is unbelievable and script writers outside the House would have been hard pushed to come up with the sort of amendment that we are considering. It represents mind-bogglingly cynical contempt for what the overwhelming majority of the British people want. They want change.

I want to deal with the second amendment and the suggestion that some demon lurking behind a large Government majority would try to prolong—

Mr. Eric Forth (Bromley and Chislehurst): I am grateful to the hon. Gentleman for giving way, because I want him to elaborate a little on the point that he made a moment ago as if it were uncontentious. He said that the overwhelming majority of the British people want change in this area. What is the basis for that assertion and what evidence does he have? As far as I am aware, the latest opinion poll evidence shows that reform of the House of Lords hardly appears at all on people's list of priorities.

Mr. Hancock: I agree entirely that reform of the House of Lords does not feature high on people's agenda, but when they are asked specifically whether they want change, the overwhelming majority say yes. I am elected to this place to represent people's views. I look at my mailbag, and people are not reluctant to tell me what to vote for and what to vote against. I have not received a single letter suggesting that I should vote against the changes that we are considering, but I have received letters from people who welcome them.

Mr. Forth: How many?

Mr. Hancock: Half a dozen, which, strangely, was the number of Conservative Members who were in the Chamber last week when we were discussing trade union reform. The Conservatives deemed that major Bill, which will give opportunities for representation to millions of people, to be important enough to require only six Conservative Members to attend the debate. Indeed, the Conservatives ran out of participants well before 8 o'clock that night.

The Chairman: Order. I should be grateful if the hon. Gentleman would confine his remarks to the amendment before the Committee.

Mr. Hancock: Of course I will, but that is difficult when I am being given easy leads by Conservative Members.

I return to the amendment and the protection of the nation from a large majority. That is an extremely good point for a Tory party to make nearly two years into a large Labour majority. The Tory party uses the fear factor by saying that these constitutional changes will allow the Government of the day to lengthen a Parliament. I was here in 1984 when Margaret Thatcher had a huge Tory majority. The then Prime Minister made things happen and stopped Conservative Members doing what they knew was right—an example was given earlier of when she prevented the hon. Member for South Staffordshire from moving a private Member's Bill. However, in those three years, I never heard a single Opposition Member suggest that she might embark on a course of action that would prolong the life of a Parliament.

Sir Patrick Cormack: Had Lady Thatcher done so, the Parliament Acts would have allowed the House of Lords to stop it happening. All that we are saying is that that constitutional safeguard should remain on the statute book.

Mr. Hancock: My understanding is that it will not be changed. The group of people representing this nation in the other place will still have the opportunity to exercise that safeguard if anybody here seems to wander in that direction, although I doubt very much whether anybody will, so the Conservative party's argument does not hold water.

I am disappointed that we cannot move swiftly through the Bill. We need to get it on the statute book: get those hereditary peers who will continue in place and make use of their expertise, say goodbye and thank you to those who will go, but for goodness sake get on with it. I shall be bitterly disappointed if we drag out that process by accepting a measure as cynical as the amendment before us.

Mr. Martin Linton (Battersea): The hon. Member for South Staffordshire (Sir P. Cormack) said that his aim was not to challenge the Bill by preserving the right of hereditary peers to speak, on the ground that they do a good job. I join him in paying tribute to the selfless work that many hereditary peers do. However, the amendment would create an entirely anomalous situation. He conceded that hereditary peers should not have the vote, yet argued that they should retain a seat and the right to speak in House of Lords debates—rather like honorary membership of a gentlemen's club. Apart from anything else, that would send confused signals about the Opposition's attitude to the hereditary principle in Parliament. We have already had confused signals about that.

Mr. Desmond Swayne (New Forest, West): Will the hon. Gentleman give way?

Mr. Linton: I must finish making the argument first.

The hon. Member for Woodspring (Dr. Fox) said that he did not oppose the hereditary principle, the hon. Member for West Dorset (Mr. Letwin) said that he did not oppose clause 1, and the hon. Member for South Staffordshire said that he was against the hereditary principle. We are entitled to clarification. Precisely what do Conservative Members mean? They propose an apparently small change by suggesting that hereditary peers should be allowed to continue in the interim, but miss the crux of the Bill, which is to change the basis of membership of the House of Lords.

It is essential that the Bill ends the hereditary principle in Parliament as soon as possible, not just because it is absurd that people should sit in Parliament on account of what their grandfathers or great-grandfathers may have done, but because many of their great-grandfathers should never have been there in the first place. The blunt truth is that, over the centuries, many hereditary peerages were sold by Conservative or Liberal Prime Ministers—indeed, by monarchs—for cash.

During the last Parliament, the right hon. Member for Huntingdon (Mr. Major) said that this country had an international reputation for the integrity and honour of its public institutions. It must be the only democracy in the world to have sold places in its own legislature.

Mr. Forth: Will the hon. Gentleman tell us his views on the role of the hereditary principle in Parliament—to which he has just referred—with specific regard to the monarchy? He must clarify his position. He is attacking the hereditary principle in relation to the upper House; given the monarch's role in the parliamentary process, perhaps he will elaborate on that.

Mr. Linton *rose*—

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. I should be grateful if the hon. Member for Battersea (Mr. Linton) did not elaborate. Moreover, his own speech is in danger of becoming a Second Reading speech. Will he please confine his remarks to the amendment?

Mr. Linton: I will gladly take your advice, Mr. Lord. I shall not stray, but will stick to the point of the amendment. The amendment, however, raises the issue of whether its aim is to undermine the principle of the Bill, which is that membership of Parliament should be legitimate, accountable and democratic.

Sir Patrick Cormack: Will the hon. Gentleman give way?

Mr. Linton: Yes, as long as the hon. Gentleman does not tempt me away from the point at issue.

Sir Patrick Cormack: I shall not do so. I merely ask the hon. Gentleman to tell me why Lady Jay's position in the House of Lords is more legitimate than that of, say, Lord Cranborne. Lady Jay owes her place to appointment, and, some would say, to the hereditary principle. I should also emphasise to the hon. Gentleman that what we are discussing is an effective transition period.

Mr. Linton: I am surprised that the hon. Gentleman should make such a slight point. The difference between Baroness Jay and Viscount Cranborne is clear. Baroness Jay is in the House of Lords not on account of her father's achievements, but on account of her own: she is there in her own right. I am sorry to hear the hon. Gentleman make such an imputation.

Viscount Cranborne may have achieved things of which he should be proud, and it is possible that, were he not an hereditary peer, he would have been made a life peer. It could be said that his writ of acceleration was, in a sense, a recognition of that. But, to the extent that he owes his position in the House of Lords to the hereditary principle—which is the essence of the hon. Gentleman's question—he is there because his great-great-great-great-great-great-great-grandfather was Robert Cecil, who was an adviser not to Elizabeth II, but to Elizabeth I. To my mind, such a distant connection with Parliament is no claim that we can accept in this day and age.

There may have been a time when the House of Lords had some legitimacy, but to find it we should have to go back to the 14th century, when it consisted of the country's chief landowners, who had to raise armies for the King and therefore had some right to be in Parliament. For at least the past 200 years the House of Lords has been an anachronism, and, indeed, a source of corruption, poisoning our whole constitution.

Mr. Andrew Tyrie (Chichester): The hon. Gentleman speaks of the poisoning of the constitution by peers purchasing their peerages for cash. He cited the Liberal

[Mr. Andrew Tyrie]

and Conservative parties, but exempted his own party. Is he aware that a significant number of large donors to the Labour party have been appointed to life peerages since May 1997?

Mr. Linton: I will not be tempted to stray from the issue, which is hereditary peerages. To my knowledge, Labour Governments have awarded four or five hereditary peerages in the entire history of the country, most of which were awarded to law officers by the 1930 and 1945 Governments. None of them was in any sense sold. However, the same cannot be said of many current hereditary peerages in the House of Lords.

The point that is fundamental to the debate, and that arises from the amendment, as from the others, is that every other aristocracy in Europe was thrown out of political power centuries ago. By the same token, we should throw ours out of political power by the end of the century—not only the powers of peers in the Lords, but all their other titles and rights. However, I shall not go into that.

5.15 pm

Mr. Gerald Howarth (Aldershot): The hon. Gentleman obviously detests the hereditary principle. If Ministers decide to do a deal in another place whereby 91 hereditary peers are allowed to remain, and that proposal returns to this House, what will he do? Given his declaration of profound principle to the Committee, presumably, he will vote against the amendment proposed by Ministers.

Mr. Linton *rose—*

The Second Deputy Chairman: Order. Before the hon. Gentleman responds to that intervention, may I remind him and other Members that that is the subject of the next group of amendments? We should not deal with it at the moment.

Mr. Linton: I am more than happy not to take up that point, but I am sure that many of my hon. Friends will take it up during the debate on the next group of amendments. I seek simply to establish the point that is crucial to our understanding of this amendment, as of the others: the present composition of the House of Lords stems, not overwhelmingly but significantly, from the accumulation of corrupt sales of peerages over the centuries. Such a Parliament is no basis on which to go into the next century and, indeed, next millennium.

Just in case the hon. Member for Bury St. Edmunds (Mr. Ruffley), who is just leaving, thinks that I am making wild accusations, let me say that I am more than happy to spell out the sales of peerages that have led to the current membership of the House of Lords. Indeed, the ancestors of a raft of them bought their peerages from Liberal Prime Ministers.

Mr. David Heath (Somerton and Frome): One.

Mr. Linton: I quote as an example Viscount Devonport. He was a retailer by the name of Hudson Kearton who promised the Liberals £25,000 if he became a peer. I say that, but what he said was not that he was going to buy a peerage, but that, if he became a peer, he would voluntarily give £25,000 to Liberal party funds. Surprise, surprise, a couple of years later, a viscountcy was awarded to him. His descendant—his grandson—is still in the House of Lords and, as a Cross Bencher, exercises his right over our legislation. Lord Vestey paid no taxes, but he paid £20,000 to the Lloyd George fund and became a peer. His descendant is still there exercising his vote and would do so under the amendment.

Mr. Richard Shepherd (Aldridge-Brownhills): With the best will in the world, let me point out that the amendments do not do what the hon. Gentleman says they do. They will ensure, if they are passed, only that a hereditary peer may attend, not vote, except safeguardingly in the circumstances of extending the life of Parliament. That is what the amendments are about. The exegesis by the hon. Gentleman is a waste of the Committee's time. Some of us want to discuss the amendments and would be grateful if he could focus his intellect on them.

Mr. Linton: I will take my instructions from Mr. Lord on that point, but I would have thought that the hon. Gentleman would accept that the basis on which people are currently Members of the House of Lords is fundamental to the Bill. The Bill tries to change that basis. The amendment tries to continue the present membership for as long as possible.

With one breath, Conservative Members say that the transitional House might last a long time; indeed, it was part of a forceful speech by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) on Second Reading. With the next breath, they say that, just for the transitional phase, we should allow hereditary peers to sit and to speak in debates. They cannot have it both ways. They believe that the transitional phase is likely to last a long time, but the amendment's effect is to perpetuate the hereditary peerage.

The point that I make by those examples is that it is essential to understand the basis of the present House of Lords. We cannot possibly go into the next millennium with a Parliament in which so many seats have been bought—not so much by the achievements of ancestors, but as outright purchases.

Mr. Shepherd: I shall now say something that will be more sympathetic to the hon. Member for Battersea (Mr. Linton).

Amendments Nos. 1 and 23 are obviously safeguard amendments. There is a concern that the House of Lords could vote for the extension of the life of a Parliament, and I have been asked to weigh that possibility. I have to tell my hon. Friends on the Opposition Front Bench that I do not think that such an extension is a reasonable expectation. If I consult my own history and that of my own country, I recall that I was born during the lifetime of a Parliament that had been extended because of the circumstances of war. The life of Parliament was also extended in the first world war. Other than that, our constitutional history shows that the trend has been to reduce the lifetime of Parliaments, from seven to five years. I do not know whether, in future, we will reduce the lifetime to four years, as that would be consonant with the practice of many other countries. I therefore have to weigh the objectives of Opposition Front Benchers in tabling the amendments.

According to Opposition Front Benchers, clearly we want to preserve the presence of hereditary peers until stage 2 reforms have been implemented. We want also to give them voting and speaking rights if the Government of the day decide to extend Parliament. I should say that I now think of this place as a puppet Chamber which is run by, and follows the will of, Downing street. I have seen that fact demonstrated for over 20 years, and hon. Members who served before this Parliament will know perfectly well where the balance of power lies in such matters.

Do I really think that the House of Lords, even with a hereditary element in it, will vote to extend the life of a Parliament except in the most dire circumstances of a national emergency? Is that a reasonable, legitimate and weighted fear? I ask my hon. Friends to ponder the likelihood of such an extension. I genuinely do not think that it would happen. I do not think that many of us, in truth, think that the purpose of the Labour Government's proposals is merely to extend the life of Parliament. I do not think that many of us are so partisan as to think that that is the Government's objective.

I have the greatest difficulty in taking this group of amendments seriously. The Committee will know from my speech on Second Reading that I believe in an elected second Chamber. I want checks and balances; there is no question about that. Therefore, in trying to weigh up the matter, I ask myself whether I believe that the amendments are amendments of substance. The answer is that I do not. I also do not believe that I want to ensure that Members of the House of Lords should not be

> "entitled to vote in a division"

but should continue to sit in the second Chamber.

We have heard all the arguments on expertise, but the thrust of the Government's manifesto and position is that the House of Lords is not legitimate. That is what it is about. As I look around the Opposition Benches, I realise that many Opposition Members feel that the legitimacy charge neuters the House of Lords. Consequently—in circumstances in which the broad judgment of a nation is contrary to initiatives from Downing street—there is no check or balance.

Some Opposition Members would be quite happy to be constructive in dealing with that situation, if we can build a democratic second Chamber that is able to check, and to reflect the changing pattern of public opinion. Such a Chamber would be able to confront Governments—the current Government are one of the worst offenders I know—argue its corner, and convert public opinion on what it believes are the issues of substance. I accept that that was a partisan point.

I certainly could not vote for amendment Nos. 1 and 23. I do not see the purpose behind them. I do not believe that the appointees of previous Prime Ministers or of the current Prime Minister would extend the life of a Parliament except in the most dire national circumstances, such as war.

Mr. Alan Hurst (Braintree): It was fascinating—a joy—to hear the eloquent remarks of the hon. Member for South Staffordshire (Sir P. Cormack). In many ways, he put me in mind of an American lawyer whose client is on death row and who is looking to any application to a superior court to extend the fateful day. I am certain that, in the minds of at least some Conservative Members, the amendment is one of those. An idea of the period until the fated day was given by the hon. Member for Hertford and Stortford (Mr. Wells), who suggested that it may be 50 or 60 years.

Listening to the arguments of the hon. Member for South Staffordshire, I was put in mind of the case made in 1910 and 1911 for the retention of the House of Lords. At that time, many of the predecessors of Conservative Members would have deployed similar arguments to those made today. If there is such a wealth of talent and such a fund of experience in the House of Lords, I am a little surprised that the Lords appear to be moving meekly along the road to the abolition of the hereditary principle. If they believe what they say on the temporary or transient period, why not stand foursquare against it?

Mr. Wells: If the hon. Gentleman takes 11 from 99, he will find that it is 88. In 1911, the House of Lords, in its present form, was thought to be a temporary measure.

Mr. Hurst: I am grateful to the hon. Gentleman, because that is exactly the nature of my fear about the proposal. The arguments about talent, experience and expertise can go back further than that. The beauty of standing to speak in this Chamber—albeit one of fairly modern origin, architecturally—is that the same arguments were used to defend the rotten borough system in 1832. The argument was that we would not have those talented people in this House if we left it to the vulgarity of the county elections. Indeed, those who represented county constituencies would have been despised because they did not have the talent and learning of the placemen of the great landed families. Eventually, however, we vulgar and coarse people succeeded, and the rotten boroughs were swept away, stage by stage, until they finally disappeared.

The hon. Member for South Staffordshire makes a fascinating case. Many years ago, I read a book entitled "The Case for Conservation" by a former Member of this House—and, later, Lord Chancellor—Lord Hailsham. I shall quote from it, although it is not my view. The book put forward all the advantages of birth and talent, and stated that talent should be preferred, as against numbers. The hon. Member for South Staffordshire talked of constitutional vandalism and, of course, the preferred classes regard those who are not of their class as vandals at the gate who are about to pull down—not a watch, the rather delicate analogy that is used—but a great edifice of power that has existed for centuries.

I felt for a moment that the hon. Member for South Staffordshire was about to quote the immortal Conservative lines that appear in the book by Lord Hailsham and also, I believe, in Shakespeare:

> "Take but degree away . . .
> And, hark! what discord follows".

I believe that the amendment is a delaying tactic on the part of the Conservative Opposition, who are not yet genuine converts to the kind of democracy proposed by the Bill. The amendment is a device and an attempt to delay the will of this House and the people of this country.

Mr. Tyrie: Where in the Bill is a case put forward for genuine democracy for the upper House?

Mr. Hurst: I would hesitate to reply in great detail to that intervention, since I fear that I would move outside

[Mr. Hurst]

the confines of the Committee debate. The Opposition amendments—this is the clearest that they have tabled—are devices to thwart the purpose of the Bill, and I urge the Committee to vote against the amendment.

Mr. William Cash (Stone): I agree very much with my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), and I have difficulty in understanding the purpose of the amendments. I cannot understand why those on the Opposition Front Bench cannot grasp the fact that we have conceded—for very good reasons—that the hereditary principle is indefensible, as I said on Second Reading. Having done that, why are we going in for a mish-mash of an amendment, which partly accepts and partly rejects the idea? It is rather like the Abbé Sieyès and his different types of constitutions—some with holes in the middle and some with holes at the bottom, leaking all the way. Why do we not accept the fact that we object to the hereditary principle and convert the 91 hereditary peers—if we accept the proposal to which I thought the Government had committed themselves in their White Paper—into life peers? We all know that there are some incredibly worthy and very distinguished Members of the House of Lords, many of whom are hereditary peers.

5.30 pm

Mr. Grieve: That may be a wise course of action, but does my hon. Friend agree that it would be helpful, while we are debating the interim stage, if the Government had the principle and integrity to tell us that they were prepared to accept the Weatherill amendment? That would at least enable us to know where we stand in the discussion.

Mr. Cash: I was somewhat surprised to hear the Leader of the House prevaricating over that the other day. I do not understand the purpose of that, because the White Paper seems pretty clear on the subject. However, that is not the purpose of my remarks.

I do not understand why we cannot accept that the hereditary principle in the House of Lords is at an end. If we are to preserve 91 current hereditary peers—for good reasons, because some appointment is probably a good idea to prevent competition between the Houses—they should be converted to life peers and should be allowed to continue the distinguished service to which my hon. Friend the Member for South Staffordshire (Sir P. Cormack) referred.

Given that the House has accepted the principle of the Bill, I find it difficult to understand how we can move amendments to restrict the hereditary principle in a way that would be inconsistent with the long title, even though there are other amendments to deal with that. The selection of such amendments is a little incongruous, to say that least—although that is a matter for you, Mr. Lord, not for me.

There are some serious questions for us to address. As in many other cases, if we have alighted on a principle, it would not be a bad idea if we stuck to it.

Mr. Patrick Nicholls (Teignbridge): It is not often that I have the opportunity to tell my hon. Friend the Member for Stone (Mr. Cash) that I seriously disagree with him. We usually find ourselves agreeing on matters European and I find it slightly novel that I should be so in favour of his analysis of our constitutional position in Europe but should not share the conclusions that he reaches on our constitutional arrangements in this country. There must be some lesson to be drawn from that.

My hon. Friend the Member for South Staffordshire (Sir P. Cormack) made a persuasive case for the amendment. It was also a persuasive case for the preservation of the hereditary principle. He was approaching the amendment from a conservative point of view, working on the idea that, if something is not broken, there is no particular need to amend it. If something is working, it does not matter if there is some illogicality about it. A product of 700 years of history and constitutional evolution is more likely to be worth while than something dreamed up by a temporary royal commission, however distinguished Lord Wakeham may be in presiding over it. All my hon. Friend's arguments, advanced with his usual charm, eloquence and elegance, could have been made in defence of the hereditary peerage.

The wider arguments and those on the amendment have been bedevilled by the embarrassment that even Conservatives feel about defending the hereditary principle, on the grounds that the upper House is not democratic. I shall be ruder about them in a moment, but I have some sympathy with some of the contributions of Labour Members, who have detected some illogicality in the approach to the subject adopted by some Conservative Members.

We have put ourselves into the position of having to say that we cannot defend the House of Lords, because it is not democratic. Obviously, it is not democratic—although it may be a mechanism for delivering a democratic form of government—but that is not the question that we should be considering. The question is whether the Queen in Parliament—the three estates, working together as a sovereign Parliament—is a democratic institution and delivers democracy.

To say of one Chamber—remember that it could also be said of the monarch, as an exercise in historical logic—that it is not democratic, is as true and, frankly, as ridiculous as saying that, in a motor car, one can blame the engine because it is not the wheels, or that, in a body, one can criticise a hand because it is not a foot. We should be considering the totality of our constitutional arrangements.

The House of Lords, as it is currently constituted—and, to a lesser extent, as it would be constituted if the amendment were made—is a practical mechanism for carrying out certain functions that matter very much to anybody who has a genuine interest in, or understanding of, democracy. It can warn, influence, criticise and, if necessary, embarrass, but it can never win against the democratically elected Government as represented in the House of Commons. I should have thought that any true democrat would say that that was about right.

How can one have an upper House that can warn, counsel, influence and oppose, but not succeed, unless it does not have democratic legitimacy in its own right? The moment that it has such legitimacy, it will assert its right to stand up against the House of Commons.

One solution would be to have a purely random process for filling the upper House: one could ask Ernie to choose Lords as well as premium bond winners, so they would be arbitrary and beyond reproach or pressure; but legislators chosen in that way would not understand for one moment why they were there. The genius of the present system is that those who are there understand why and take their responsibilities seriously.

Dr. Starkey: I am having some difficulty following the hon. Gentleman's argument. Is he saying that the democratic legitimacy of Parliament as a whole is all the stronger because this democratic Chamber is complemented by a completely undemocratic one?

Mr. Nicholls: I see that I should have spoken more slowly. I will try scattering those pearls again. The point that I was making—even some Labour Members seemed able to understand it, although they may not have agreed with it—is that we must consider the totality of Parliament and ask whether it is democratic; it is not enough simply to look at one House of Parliament and ask that question of it. If the hon. Lady talks to her colleagues and reads *Hansard* tomorrow, she may not agree with my point, but she will perhaps manage to grasp it.

Where are we likely to end up? Conservative Members have advocated an elected upper House, because that would be democratic, have legitimacy and be fine; but it would not be fine at all. A wholly elected upper House would either go the whole way with the Government of the day or it would not; if the upper House had been up for election at the general election, both Houses would be completely controlled by one party. [HON. MEMBERS: "Good."] I thought that that would appeal to some Labour Members, but it would not be an exercise in democracy; it would be the abnegation of democracy.

Mr. Andrew Mackinlay (Thurrock): The hon. Gentleman's point about elections assumes that they would be held on the same day for both Houses. The difficulties to which he refers could be overcome by having a rolling programme of elections, as with the United States Senate and many other legislatures, so that the Chambers never gain their legitimacy in a snapshot of time; it is also enshrined in our law that the House of Commons is supreme and will prevail. Existing functions of the House of Lords are important, but its constitution is bad. If we have a rolling programme, we can have the best of both worlds.

Mr. Nicholls: The hon. Gentleman makes a very fair point, which was considerably better than the point made by the hon. Member for Milton Keynes, South-West (Dr. Starkey). The difficulty is that the consequence of what he is saying is that, to avoid having a totalitarian Government in which both Houses of Parliament would be under the control of the same party, there would have to be perpetual conflict in which each Chamber said to the other, "Our credentials are as good as yours." Even if, in due course, we have a cronies' Chamber, in which only 10 per cent. of Members, or perhaps 10 out of 200, are democratically elected, the problem is that those 10 will say to the others, "We have the right to be difficult because we were elected and have greater legitimacy than you."

If the amendment were made, its achievement would be that Members of the second Chamber would still be able to warn, counsel, influence and embarrass. That says something about democracy in a wider sense than simply pointing out that the upper Chamber in itself is not democratic.

My next point puts down a marker for whatever proposals ultimately emerge. There is no doubt that, if the amendment is not made and the only way to enter the upper House is to be democratically elected, the quality of legislation in its totality will decrease dramatically. All sorts of worthy and useful people who currently make a contribution could not be possibly be expected to undergo the electoral process that we undergo. That would be a mistake.

Whether the amendment is defeated today or on another occasion, the process on which we are embarked is constitutional vandalism because we are throwing out a tried and proven system, not according to the argument of legitimacy or because of the spurious idea that one Chamber is undemocratic, but as the hon. Member for Battersea (Mr. Linton) let slip—although Labour Members no longer use the language of the sans-culottes—because of the absolute detestation that oozes from Labour Members' every pore when they consider a hereditary peerage.

Mr. Linton: Will the hon. Gentleman give way?

Mr. Nicholls: In a moment. The irony is that, in this day and age, hereditary peers are in middle-class occupations. They consist of lawyers, farmers, doctors and working actors. Their social composition is about the same as that of the parliamentary Labour party and that at least ought to endear them to Labour Members.

Several hon. Members *rose—*

The Second Deputy Chairman: Order. Has the hon. Gentleman completed his remarks?

Mr. Nicholls: I am sorry, Mr. Lord. I was pausing to collect my thoughts before I gave way to the hon. Member for Battersea.

Mr. Linton: To say that I detest Members of the House of Lords would be a gross distortion of the point that I was making. I merely challenge their right to sit in this country's legislature solely on the grounds that their father or grandfather was made a member of the peerage. I would no more detest somebody for being a Member of Parliament than I would detest my constituents for not being in Parliament, but it is totally different to question peers' right to sit in our legislature.

Mr. Nicholls: I said that the hon. Gentleman loathed the principle of heredity—and, if he considers the circumstances in which some of those hereditary peers of whom he disapproves got into the House and compares them with the present crop of life peers who have entered the House since 1997, he may want to pause and reflect.

Mr. Forth: Some of my colleagues have pointed out the apparent difficulties that we have in reconciling the fact that we are not yet wholeheartedly abandoning the hereditary principle and the fact that many of us are not ready fully to embrace whatever alternative may emerge. The way to resolve that temporary conflict is to emphasise, as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) rightly did in moving the amendment, that we are considering, by definition, a transitional arrangement. We are discussing an interim

[Mr. Forth]

arrangement, somewhere between what we have now, which the Government want to sweep away, as they said in their manifesto, and the position in the future. We are not sure when that time in the future will be. Ministers have said many times that it is not too far away, but they will forgive Conservative Members for being a little uneasy about that, as we have heard it all before. It is precisely because the Government seem so uncertain about what they want to do and where they want to take us in this vital component of our governance and constitution that we are entitled to the degree of unease that we feel.

5.45 pm

That unease is evident in today's debate, and it will remain so. We are trying to hold a constructive and analytical debate about something that is built on shifting sands and about which we cannot be certain. We cannot be sure of the time scale involved, and we certainly do not know about the end-point. That puts us all in great difficulty.

My hon. Friend the Member for South Staffordshire has suggested that, as part of the transitional or interim arrangement, it would be better to try to hold on to what some of us perceive to be the good, or the best, elements of the present arrangement, even as we try to work out what will happen in the interim and beyond. The debate has focused on the concept of legitimacy as it affects a role in the legislature. All hon. Members readily take it for granted that this Chamber has total legitimacy because it is elected. Yet even that can be subject to some debate, because some hon. Members would say that the degree of legitimacy of an elected Chamber might depend, in some circumstances, on the method by which it was elected.

I stress that it is not for today, but there is a debate to be had about the first-past-the-post system, as opposed to various forms of proportionality. Some of us would argue that many forms of proportionality would reduce or even remove the legitimacy from an elected Chamber—but, as I say, that debate is for another day. I mention it simply in the context of the concept of the legitimacy of Chambers of legislatures, and to introduce the thought that few elements even in that regard are absolute.

We are talking about relative concepts of legitimacy in legislatures in an interim environment. That is the context of the debate, and it is no surprise that there should be a degree of uncertainty among Conservative Members, and of fuzziness of thought among Labour Members, as it is very difficult for us all to relate to the complexity of the issues before us.

So then we must consider the role and legitimacy—or otherwise—of the upper House, and we must take into account its accountability, the degree to which it is representative, the extent of its expertise and its independence. All those factors have a role in the way in which a Chamber in a legislature operates.

Some hon. Members would argue that Members of a Chamber in a legislature who are not elected have no legitimacy. They would say that, although they may have accountability and claim to be representative, those Members may not be independent, given the development of the role of the party and of whipping as we have come to know it in our tradition. So we are already involved in a trade-off: although we may say that elected Members have the pluses of being representative and accountable, we must also accept that they probably fall down seriously with regard to independence. Whether they qualify on the basis of expertise is another matter altogether.

A member of a group of very bright schoolchildren recently asked me what qualifications were needed to become a Member of Parliament. That was a very interesting question. I had to tell the children—I hope with my characteristic honesty—that there were none that I knew of. I said that all one needed was the gall, effrontery and exhibitionism to put oneself forward to one's party and to battle through the selection process. After that, I said, one needed to get lucky on election and to win enough votes, and that that was about the limit of it.

The bright young person who had asked the question seemed a bit surprised, having expected me to talk about A-levels or degrees, or some such. The one thing missing from a Chamber consisting of elected representatives is expertise. Members may have many qualities, but expertise is not necessarily one of them. That depends very much on their background.

However, the upper Chamber, as it has developed over hundreds of years, has advantages which in many ways complement the disadvantages that I suggest are part of a fully elected House. Those disadvantages include a lack of political independence, because of party affiliation and whipping, and a lack of expertise other than that developed during periods spent not in the House.

The hon. Member for Portsmouth, South (Mr. Hancock) has told us how he acquired an enormous range of expertise during a previous brief period in the House of Commons. In 1987, his constituents, in a moment of madness, denied us that expertise. The hon. Gentleman has told us how he developed further expertise during his 10-year sabbatical, which sufficiently impressed his voters that they sent him back to share it with us.

The hon. Gentleman's story is reassuring, and I shall cherish it and remember it often during our debate. However, it does not quite give us a definitive answer to the conundrum that faces us—what to do about the upper House during the interim period. The amendment forces us to think about the contribution that the hereditary element has made in the upper House.

That brings us to the peculiarity of the 91. We are being asked to accept that the hereditary element is totally unacceptable to Labour Members, a fact that has been reinforced by several speeches today. Yet, the same Labour Members may be prepared to accept that 91 of those totally unacceptable people should be allowed—nay, encouraged—to continue to operate in an upper Chamber for some as yet unspecified period. That forces us to imagine how we should distinguish between the validity of the contribution that the 91 may continue to make, as opposed to the contribution that the other 600 or 700 will be unable to make.

We have not been told, except by suggestion—we do not yet know what will happen because none of the suggestions is definite—whether that conundrum will be resolved by some electoral process. It seems that people who until now have been unable to vote at all will be given a vote for the first time in their own House. They will, it seems, in some mysterious way, elect from among themselves a representative group. That group need not necessarily be elected according to expertise, but will perhaps be elected on some other form of representation. We are not sure of the basis on which the 91 will be elected, but they will continue to operate in the upper House.

The trouble is that we are in danger of undermining, or losing, some of the valuable contributions to which the amendment relates. Those contributions include the independence that the hereditary element gives to the upper House—an independence that I do not think has yet been stressed enough. They include a balancing of the representativeness and accountability in which the House of Commons takes such pride.

The independence of the hated hereditary element has its own value in our political process, and we must not throw it away without serious consideration. Only the hereditary element gives that independence. Even the patronage of appointment under the life peerage system does not give the same degree of independence. It gives an element of independence, but it cannot give the totality.

The amendment allows us to consider the advantages to be obtained from a continuing input from, and involvement of, the hereditary peers while we consider what lies beyond the interim period.

Mr. Hancock: The right hon. Gentleman argues powerfully against support of amendment No. 2, which relates to the 91 hereditary peers. He has convinced the Committee that he will join those of us who vote against that amendment when we reach it. However, is he advancing the option of having all or none of the hereditary peers, thus supporting the line that I would take?

The Second Deputy Chairman: The right hon. Member for Bromley and Chislehurst (Mr. Forth) has been very careful in the way in which he has referred to the next group of amendments, and I should be grateful if he would maintain that course.

Mr. Forth: I am grateful, Mr. Lord.

I was referring to the opening speech of my hon. Friend the Member for South Staffordshire, who outlined the contribution that we have come to expect from the hereditary element in the upper House. My hon. Friend wishes to retain that, at least for the interim period. I cannot overstress the fact that, as long as we are uncertain about the length of the interim period, we owe it to the people of the United Kingdom to be extremely cautious about how we change the upper House before settling the arrangements for its final composition. That point is the key to the amendment.

My hon. Friend's amendment allows us to consider—allowing for the views of Her Majesty's Government, their manifesto commitment and the Second Reading of the Bill—our obligation to ensure that the upper House serves the people in the best way possible during the interim period. My hon. Friend, elegantly, and with typical ingenuity and fairness, has found a way in which to allow us to continue to draw on the contribution made by the hereditary element.

Mr. David Heath: Would the right hon. Gentleman consider how his argument applies to amendment No. 23, which is in the group that we are considering? What unique contribution—above that of any concerned citizen—can disqualified hereditary peers make in determining whether a Parliament should be extended? Why should we not leave that matter to the National Farmers Union, or to the listeners of Jimmy Young, or to the Frome Collegians football club? What uniquely qualifies the hereditary peers to make that contribution?

Mr. Forth: Simply, they are there, and they have an accumulation of experience with which to judge the point. Amendment No. 23 would allow the hereditary peers to stand as a guarantee, a backstop and a safety net against the possibility that a Government with an overwhelmingly large majority and an arrogance and contempt for the parliamentary process would be able to take the final step that some of us fear, of trying to put themselves in power indefinitely.

Sir Nicholas Lyell: Does my right hon. Friend agree that there is yet a further reason why an upper House—including one of the present constitution—should be able to prevent that? When the House of Commons seeks to extend the length of a Parliament, it does not act democratically. The House of Commons is elected for a period of up to five years, and it would be not by the will of the electorate, but by the will of the House and the majority party that it sought to extend the Government's power. That decision would come not from the electorate but from the Government's own majority.

Mr. Forth: My right hon. and learned Friend makes a typically incisive and important point, and I may explore the contents of amendment No. 23 in a moment. We have before us a difficult mixture of convention, unwritten constitution and flexibility in our constitutional arrangements. All that poses certain real problems. Let us imagine that we were faced with a national emergency. Parliament might want to retain the right to alter its electoral arrangements. However, we have the safeguard that Parliament can do that only if it is agreed both by the elected House and by the other place, on which we rely for a degree of independence of thought—independent even of the electoral process—to give us the safety that we have enjoyed over many centuries. That balance is under threat, and that is another reason why my hon. Friend seeks to restore balance through his amendment, and to give us the reassurance that we need in the present changing circumstances.

Let me return to expertise. It is often suggested that the upper House contains a range of expertise. In an earlier exchange, it was pointed out that it contains people from the arts, the military, the business world, the Church, farming and so on. However, that argument is something of a double-edged sword. I have always been slightly uneasy about the idea of people with expertise, as they may also have a narrowness of view that limits the contribution that they are able to make. The whole point is that the people who arrive in this Chamber—by whatever process, and however qualified or unqualified they may seem to be—seek in the best way we can to represent many constituents. It is because we are accountable and have daily to cover a wide range of subjects that we can be beholden to no single group but must take a broad view.

6 pm

One of the dangers is that Members of the upper House are able to take just one view, and that their contribution may in some respects be limited. I submit that that is so in the case of life peers. Funnily enough, that argument does not apply to the hereditaries, who may have a broader view precisely because of their rather odd background and their independence.

Mr. Linton: Why does the fact that someone's great-grandfather was a custard powder manufacturer give that person a broader or more incisive view of events now?

Mr. Forth: Because of the element of independence that I am trying to stress. The peculiarity of the system of life peerages is that such peerages are often—more often than not, I suggest—given because of experience or expertise in one particular sphere. It may be a very worthy and central sphere. Church Members of the upper Chamber have a very particular role to play, but it is in many ways a narrow role. Given the complexity of modern society, it is—many might regret this—an increasingly unrepresentative role, although they are not supposed to be there in a representative capacity.

Mr. Edward Garnier (Harborough): No doubt the hon. Member for Battersea (Mr. Linton) thought that he was being highly amusing by referring to a custard powder manufacturer, but surely the important point is not what the grandfather did then but what the hereditary peer does and knows now. It is his life experience, not that of his grandfather, which is important. The fact that the hon. Gentleman used to be, I understand, a writer for *The Guardian* has no bearing on his ability as Member of Parliament. If his grandfather had been a custard power manufacturer, what would the editor of *The Guardian* have made of that?

Mr. Forth: I will not be tempted to follow on from what my hon. and learned Friend has said. If I were, I might digress into a discussion of what some Labour Members did in their earlier life or what some of their predecessors did, and I am not sure that that would be a very productive route to take. My hon. and learned Friend has made his point.

I have tried to emphasise the fact that the amendment raises some very important issues. It gives us an opportunity to reflect on where we as a Parliament want to position ourselves in the vital phase before us and in the face of the uncertainty ahead as we go from where we are to where we might end up. I am grateful to my hon. Friend the Member for South Staffordshire for giving us the opportunity to think about the contribution that we want the upper House to make and the way we want it to be made, and to flush out some of the details of the mysterious 91—who they might be and where they might come from—in the context of the contribution that we have rather come to assume from the upper House, and particularly from its hereditary element.

I yield to none in my admiration for the contribution that the hereditary element has made, is making and will, I hope, continue to make. I support the amendment in the expectation that that invaluable contribution can continue until we resolve properly the role of the upper House.

Mr. Kenneth Clarke (Rushcliffe): I agree with my right hon. and hon. Friends who have said that those on our party's Front Bench have tabled a curious amendment, but it is a curious Bill. It has rather more to commend it than some of my colleagues with whom I have agreed have said.

I agree with my hon. Friend the Member for South Staffordshire (Sir P. Cormack). Once we have embarked on the process of reforming the second Chamber, we must move on to have a wholly elected second Chamber. I cannot believe that any second Chamber will have lasting political legitimacy until we go that far. Indeed, I should go so far as to say that if we put some halfhearted measure in place, the result will be that future generations will regard this Parliament as something of a laughing stock for putting a quango in place, believing that that is the kind of senate that should be created for British democracy in 1999.

Sir Patrick Cormack *rose—*

Mr. Clarke: I shall give way in a moment. Like me, my hon. Friend appreciates the fact that the Bill is a result of the Government not having a policy to amend the constitution but making ad hoc changes to the constitution and then being driven by events to make it up as they go along. The dog's breakfast that we have before us is designed to create a dog's breakfast of an institution to be known as an interim House of Lords. I share the suspicions of many that the interim period might be quite lengthy. It is in that curious context that we have to consider its composition.

Sir Patrick Cormack: I must point out that I did not say that I was in favour of a wholly elected House of Lords. I said that we had not yet come to a conclusion on that. I also pointed out that it was difficult to envisage an elected House of Lords that would have a Cross-Bench element, which is one of the reasons why I have some misgivings.

Mr. Clarke: My apologies to my hon. Friend the Member for South Staffordshire; I had the right part of the country, but it was my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) who expressed the view with which I agree. I am sorry that, on this occasion, I am more radical than my hon. Friend on the Front Bench, but I believe that it should be a wholly elected Chamber. I cannot believe that this House or the Government is going to come to any other conclusion in due course. As we proceed, the sheer absurdity of the details of the interim measure will be made ever more clear.

The amendment addresses the composition of the interim House. We are asked to consider what it is about another place that might be tainted by its continuing to hear within it the voice of hereditary peers without a vote. The moment one considers the composition of the group that will have the task of holding the Government to account for an indefinite period in the second Chamber, it becomes clear that the second Chamber will not be seriously damaged.

Probably the most legitimate members of the interim House will be the life peers, who are largely appointed by recent Prime Ministers on a mixture of political patronage and distinction in their careers. I treat them all with the highest regard—many are my personal friends. Many have held office in this House. When I go to listen to their debates, I see sitting in front of me the House of Commons of 20 years ago. They used to be the country's leading politicians, scientists and artists. They are a sort of council of elders, reminding us of the great and good of a former generation. They are the most legitimate Members whom the upper Chamber will keep in place.

Also in place will be the senior bishops of the established Church. There will, I gather, be a further block of appointments made by the present Government, comprising 50 or so men and women who will be there because they will have undertaken on all occasions to follow the line set out by the press officer of Downing street and to vote in all Divisions to make sure that the Government's position is kept intact. My colleagues and the Liberal party will have the pleasure of appointing a no doubt smaller number of people with a similar instruction.

We are also told that a new quango will be appointed to appoint people who presumably will have to undertake to have no party affiliation, but to be in some way representative of the outside world. In other words, a mixture of patronage and the honours list will provide Members of the House of Lords, which will be the second Chamber indefinitely. It is a ridiculous proposal.

I have forgotten the most important element of all. If future amendments are accepted, or if the Government keep to their word as given to my noble Friends, 91 Members will be hereditary peers. Some may be the grandchildren of custard manufacturers. They will be people who will have been subject to the greatest strictures by Labour Members—

The Second Deputy Chairman: Order. I remind the right hon. and learned Gentleman that that is not relevant to the amendment that we are discussing. Will he please confine his remarks to the amendment?

Mr. Clarke: Subject to your guidance, Mr. Lord, I shall try to make my comments relevant by saying that it is this collection of people into which it is said it would be quite wrong to allow to intrude the voice of other hereditary peers for the interim period. There is no great threat to the proceedings of the truncated remnant of the old House of Lords which will be kept in place under the Bill if we allow hereditary peers to have a voice, if not a vote. They might be considered some guarantee of independence of—perhaps even of modest hostility towards—the present Government. If we are looking to a second House to help hold the Executive to account, I do not think that it would be weakened if we accepted the amendment; on occasions, it might be strengthened.

I cannot see the objections in principle that have been made. The hon. Members for Braintree (Mr. Hurst) and for Battersea (Mr. Linton) are still excited about the hereditary principle, but they presumably will accept 91 hereditary peers. The idea that the Bill sweeps away the hereditary principle and replaces it with something more democratic, more legitimate and better is not remotely the case. We are embarked on a foolish course in accepting this as an interim stage in the Government's proposals.

I know that, with the assistance of the right hon. Member for Manchester, Gorton (Mr. Kaufman) and others, my noble Friend Lord Wakeham, who is also a personal friend, is meant to produce a policy. Even then, I understand that the policy is closely guided not towards democracy but towards blocs or groups that are supposed to represent interests in the wider world. Our mediaeval ancestors who created the House did a better job than this quango is likely to do for the 21st century in coming up with anything of that kind.

If we are to have an interim House, which is all that the Bill is about, it is absurdly dogmatic to say that all hereditary peers should be silent. They will lose their legislative power if they lose the right to vote in Divisions, but, in the peculiarly Mickey Mouse institution that we are putting in place for an indefinite period, their voice could on occasion be valuable.

Mr. Garnier: With all due humility, I congratulate those of my right hon. and hon. Friends who have exposed this afternoon the Government's embarrassment and the vacuity of the thought behind their proposed reforms to the other place. My hon. Friend the Member for South Staffordshire (Sir P. Cormack) began to expose their position, which is inept both politically and intellectually. Anyone who heard the speeches of my right hon. and hon. Friends this afternoon could reach only that conclusion.

One of my colleagues has said that he is a great respecter of the hereditary principle and that that was why he did not bet on horses. I occasionally do, and I respect the hereditary principle in the constitution. I accept that the arithmetic of this place nowadays means that the hereditary system in the other place is going, and, some say, the sooner it goes, the better. However, I object to the way in which the Government have made proposals that signally fail to meet their own arguments. That is why I applaud the amendment to allow hereditary peers to speak, even if they are not allowed to vote in Divisions.

For all the reasons so ably put by my hon. Friend the Member for Teignbridge (Mr. Nicholls), I suggest that clause 1 is a total failure. It fails because the Government did not ask themselves several basic questions. They failed to ask about the purpose of our constitution and of the Houses of Parliament or about the proper relationship between this House and the other. It may be that the logical conclusion of the debate is, as my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) said, to have two elected houses; or, as the hon. and learned Member for Medway (Mr. Marshall-Andrews) has said, it may be that we should have only one House of Commons and a unicameral parliamentary system. Whatever the answer, the question is not properly answered by the Bill. The failure is nowhere more evident than in clause 1.

6.15 pm

When one considers the proper role of Parliament or of an upper House or another House, one legitimately comes to the questions that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) drew out. There are some minus points, but the other undemocratic House brings many plus points to our three-legged constitution or governmental system. It does this House and the Government no good to salami-slice away at particular aspects of our constitution, whether on the Union front or the House of Lords front, and produce half-baked, ill-considered solutions. I reject utterly the Government's proposals for an interim second Chamber. I hope that the

[Mr. Garnier]

Committee will be persuaded, if not by my ineloquent arguments, by those of my right hon. and hon. Friends who have stripped bare the Government's ineptitude.

The Government's proposals are confused. They will lead to further trouble and to further dissatisfaction with the way in which Parliament works among the public, who are already becoming increasingly dissatisfied by the way in which this Government and Executive treat this House and Parliament as a whole. Unless amended and exposed to the arguments of my right hon. and hon. Friends, the proposals will continue to damage our constitution. I urge Labour Members to join us in the Lobby, and I hope that I can persuade my hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd) and for Stone (Mr. Cash) to do so as well.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I, too, am grateful to the hon. Member for South Staffordshire (Sir P. Cormack) for moving the amendment, not because it is meritorious—it is not—but because it has created space in the debate to allow some free spirits among his colleagues, notably the hon. Members for Aldridge-Brownhills (Mr. Shepherd) and for Stone (Mr. Cash), to make extraordinarily sensible speeches. They showed that the Conservative party has within its ranks some people who are prepared to be constructive about the future of our constitution. Many of us take heart from that as we look to a cross-party alliance to make sense of an historical anachronism.

I also took some satisfaction from the speech of the right hon. and learned Member for Rushcliffe (Mr. Clarke). As he spoke before me, he does not have the opportunity to head-butt me as he sometimes has in the past. He recognised that the principle of election is what we are moving to. I do not think that he is very excited by the possibility, but, if he sees that as the way in which we are going, perhaps he should welcome the anomalies that he thinks are created by the way in which the Government have chosen to go. The great good sense of the British people may come into play and make it impossible to propose a nonsensical second Chamber, such as that about which he expressed concern, with any credit to the Government. That would rule out the prospect of a House of mixed groups of representatives of different interests posing in some way as legitimate or representative.

A couple of serious themes that emerged from Opposition Members' speeches should not go unchallenged. One is that hereditary peers are, in some sense, more independent than appointed peers—certainly more independent than Members of the House of Commons. I do not see the logic of, or evidence for, that argument.

Sir Patrick Cormack *indicated dissent.*

Mr. Maclennan: I discharge the hon. Member for South Staffordshire from having made that point. I regret that I did not hear him speak, so I cannot pronounce with authority on his speech. I am very sorry about that, but I encountered unfortunate travel problems.

Several other Conservative Members made the point that hereditary peers were peculiarly independent, yet their lordships' voting record does not prove that. The point was deployed extensively on Second Reading that their overwhelming propensity is to support the Conservative party, and, when informed that Rome is burning and in danger, to come from wherever they are and do what they are told by the Conservative Whips.

There is no reason to believe that the survival of hereditary peers would retain any independence that would safeguard any part of our constitution if it became threatened. From the record during the lifetime of the previous Conservative Administration, I do not see any evidence of hereditary peers playing a particularly noteworthy part, even in criticism of some of the, shall we say, incursions into what might have been thought to be sacred constitutional territory.

Sir Patrick Cormack: The right hon. Gentleman is replying to a speech that he did not hear, and was not made. The point made from this Dispatch Box was simply that it would be a practical solution for an interim period to allow that 40 per cent. who play such a prominent part in the Committees and deliberations of the House of Lords to continue to do so, without voting, until the second stage has been agreed. That is the case that has been advanced, but it is not the one to which he is replying.

Mr. Maclennan: With the greatest respect to the hon. Gentleman, who has considerable experience, as I do, of this House, the debate is not entirely turning on his half-hour contribution at the beginning of it. A number of other interesting speeches have been made from the Conservative Benches, and it is to those in particular that I was addressing my remarks.

When the Conservative Government, under the inspiration of their then leader, Lady Thatcher, decided to wind up the government of London—a move that was a profound constitutional monstrosity—there was very little sign of independence among peers, and no more independence was manifested by hereditary peers than by appointed peers. Once a person becomes a Member of the upper House, regardless of whether that person has been appointed or is there by accident of inheritance, he or she is a free spirit, capable of exercising independence, and does not owe his or her position in that House to the continuing approval of the Whips or the Government. None the less, time and again, their lordships have demonstrated their willingness to step into line behind the lead of the Conservative party. That is a strong argument for rebutting and rejecting the amendments.

Sir Nicholas Lyell: Is the right hon. Gentleman being fair to the upper House in saying that it fails to demonstrate independence? Accepting amendment No. 1 would mean that the so-called backwoodsmen could not be trotted out either to support or to defeat individual measures. Does he recollect that, had it not been for a considerable turnout of backwoodsmen—regardless of whether it is right or wrong, although he will certainly have thought it right—the upper House would have defeated proposals for the community charge?

Mr. Maclennan: The right hon. and learned Gentleman has a [illegible] point; I would not quarrel with that. However, I do not think that it invalidates my general case that, time after time, when one might have hoped that some independence would be exercised, it was not.

There is a certain seductiveness in the argument that there should be a check in another place on the possibility of, for example, the Government deciding to extend the life of a Parliament beyond the five allotted years. I am attracted to that view. There is a case for strengthening the power of the upper House over constitutional measures and, indeed, constitutional conventions, which I should like to have embodied in fundamental constitutional law. It would be very healthy if Governments were not able to overrule our international commitment to the European convention on human rights, and if the upper House were empowered to prevent them from doing so, but an appointed or hereditary upper House does not have the constitutional legitimacy to make that an acceptable route down which to march.

Although there is support on the Liberal Democrat Benches for seeking to protect fundamental constitutional provision, such as the determination that Parliament shall not extend its life beyond five years, I very much hope that the Government will look for other means of facilitating the further check on the Executive when they come to think about the reconstitution of the second Chamber beyond the period on which the Bill particularly focuses.

Mr. Gerald Howarth: I am grateful to be called to speak in these important proceedings. I am a Conservative, and I am proud to be a Conservative. One of the reasons why I am a Conservative is that I believe in conserving that which is good about our country, and I believe that we should change things only if they really need to be changed.

There have been differences of view on the Conservative Benches—only the hon. Members for Braintree (Mr. Hurst) and for Battersea (Mr. Linton) have spoken from the Labour Benches—on what might replace the other place. However, this side of the Committee has been absolutely clear on one thing: this, as my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) rightly said, is a dog's breakfast of a Bill. If we were in charge, this measure would not appear, because we do not believe in the Government's proposals.

The Bill should correctly be entitled, "The House of Lords (Destruction of a Thousand Years of British History) Bill". I make no pretence; I believe in the hereditary principle. When we debate the proposed composition of the second Chamber, it might be appropriate to raise the question and role of the monarchy.

As my hon. Friend the Member for South Staffordshire (Sir P. Cormack) so eloquently suggested, their lordships have something to offer during the proposed interim. The reason why my right hon. and hon. Friends have expressed differing views on a new upper Chamber has been given before. Others have suggested that there should be a wholly elected upper Chamber. I do not believe that that would be right, because it would put that House into conflict with this one. It is precisely because there have been so many such differences that all previous attempts to change the arrangements have failed. That is why I believe that the Government's proposal is fundamentally flawed and why the measure betrays their arrogance. They have decided to bring the Bill before the Committee without suggesting anything in place of the House of Lords.

According to an opinion poll conducted by MORI last November, 68 per cent. of the people—pretty democratic, I would have thought—felt that the Government should not introduce the change without proposing an alternative. In that survey, 68 per cent. of respondents said:

> "Leave things as they are for the moment until all the details of the reform have been decided."

6.30 pm

Mr. Winnick: I wanted to congratulate the hon. Gentleman on his opening remarks. He came out with the blunt truth—that he believes the hereditary principle should be retained. Whereas those on the Opposition Front Bench and others of his colleagues are covering up their views in every conceivable way, the hon. Gentleman stated his point of view honestly and fairly. That is basically the point of view of the entire Conservative party, and it is unfortunate that those on the Front Bench did not have the honesty to say what they believe in, as the hon. Gentleman did.

Mr. Howarth: I am grateful to the hon. Gentleman for recognising that I am honest. I am not sure that, it is always advisable or profitable to be honest in politics, but I have the advantage of being on the Back Benches.

My right hon. and hon. Friends have pointed out that the Bill will unquestionably go through both Houses of Parliament. They must, therefore, deal with the position after the Bill becomes law. It is entirely fair for them to argue that we must live with the realpolitik and try to improve the Bill, in so far as it is capable of improvement. That is why I support the amendment.

The public made it clear through that opinion poll that they believe that the Government are misguided in their proposal not to suggest alternatives to the current arrangements before abolishing that which already exists.

It is important that we consider the merits of the amendment relating to the role that hereditary peers could play—a non-voting role, but a speaking role. The Committee must understand that the hereditaries play an extremely important part in the daily life of the upper House. Most of those who preside over the proceedings in the House of Lords when the Lord Chancellor is not there are hereditary peers. They do it on the relatively small amount of their daily allowance. They do not have the sort of salaries that even we in this place have.

We should not ignore the active part that hereditary peers play in the activities of the other place, compared with the less active part played by many of those who are appointees, whether appointed by the Conservative party or the Labour party. It is true that the other place has the advantage, as my right hon. and learned Friend the Member for Rushcliffe said, of previous Members of this place—illustrious Members who have guided the destiny of the nation. It would be fair to say that, for some of them, life in the more relaxed atmosphere of the other place is less enchanting than the cut and thrust of formulating policy and driving it through in this place. Therefore, the part that they play in the other place is, so to speak, a retired part.

Other life peers are great captains of industry. I always marvel at the fact that, whenever hon. Members stand up in this place to speak on behalf of a commercial interest in which they have an interest, they are immediately dismissed.

[Mr. Howarth]

I well remember when Jim Prior, as he then was, spoke in a debate on extending further Government finance to GEC in order to enable the company to develop the winning formula that would ensure that the airborne early warning programme on the Nimrod went ahead. Everybody listened, until someone said, "Is he not chairman of GEC?", at which point everybody fell about laughing, saying, "Of course he would say that, wouldn't he?" If the noble Lord Prior stands up in the other place and speaks in his capacity as chairman of GEC, their lordships flock in to listen attentively because he has something to offer.

It is fair to say that those who are captains of industry do not attend as regularly in the other place as those who are hereditary peers. That is hardly surprising—they have businesses to run, so they tend to come only occasionally, when the debate affects the industry in which they work.

Angela Smith: The crux of the hon. Gentleman's argument seems to be that hereditary peers do a better, more effective job in the House of Lords. How does he square that with his earlier statement that he supports the amendment?

Mr. Howarth: I support the amendment because it will ensure that the hereditary peers will be there. I have tried to make my position clear. Lest the hon. Lady is in any doubt, let me repeat it: I oppose the measure, but I will support the amendment tabled by my hon. Friends because it at least ensures an element of continuity. It will also ensure that, in the other place, there will be those who have something to contribute, and who can spare the time that it is necessary to devote to the other place.

In his persuasive opening address to the Committee, my hon. Friend the Member for South Staffordshire offered some examples of the way in which hereditary peers make their contribution in the other place. He mentioned the work of its Select Committees, which are taken extremely seriously outside this place. Indeed, I venture to suggest that, in general, the other place is taken more seriously than this place. It is interesting that when one listens to "Today in Parliament" on what I used to call the Home Service—I am a Conservative—

Mr. Mackinlay: On a crystal set?

Hon. Members: On the wireless.

Mr. Howarth: Indeed, on the wireless. One listens to some of the most articulate speakers and wonders, "Who was that? Which Prime Minister appointed him or her?" Then one hears that that was not an appointee, but a young hereditary peer. That is the one thing that the hereditaries have, which the life peers do not: there are a number of young hereditary peers who, I suggest, make an important contribution.

My hon. Friend the Member for South Staffordshire mentioned Lord Freyberg. I have met him, and I believe that my hon. Friend is absolutely right—Lord Freyberg has made an important contribution, and war widows have him to thank for the interest that he took and the ability that he discharged to ensure that the relevant measure was brought to fruition by the previous Conservative Government.

Mr. Mackinlay *rose—*

The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon): Oh, Andrew!

Mr. Mackinlay: My right hon. and hon. Friends on the Front Bench might not like it, but I remind them that this is the Committee stage, and we Back Benchers will make our contributions, whether they like it or not.

The hon. Gentleman was referring to the benefits attached to the hereditary peerage, and folk coming in at 22 years of age and making a valuable contribution. During the Maastricht debate, the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, and I do not believe that he said it disrespectfully, that the problem was down there in the House of Lords—if the lights were switched off, half of them would die.

That is a difficult and unpalatable truth to accept, but the fact is that, under both hereditary and life peerages, peers go on and on and on. Some peers who were appointed or who received their peerage through the hereditary principle were capable and had all their faculties, but there is no end to their period of service. It is not fair to them, it is an abuse of Parliament, and it needs to be stated, painful though it is, that some of the peers should not now be in Parliament.

Under the democratic principle, of course, it is for the electorate to decide. There is no way of bringing an end to parliamentary service in the other place.

Mr. Swayne: Death.

Mr. Mackinlay: That is inappropriate and it is not fair to those Members—

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. It is not fair that the hon. Gentleman should go on for so long during an intervention.

Mr. Howarth: It is entirely fair that the hon. Gentleman should have his say and not be gagged by those on the Government Front Bench. It is significant that only two Labour Members have spoken on the Government's flagship measure and that only a few Labour Members have intervened. That says much about the Government's belief in democracy and the democratic process. I listened to the hon. Gentleman and I thought that he had an important point to make.

Some of the elderly Members in their lordships' House make some rather interesting contributions, even if they are ones with which I disagree. Lord Longford comes to mind. He is a great character and he should not be prevented from contributing to our national life, even though I do not agree with everything that he says.

Mr. Linton *rose—*

The First Deputy Chairman: Order. We are dealing with amendments that, by their very nature, are confined. We must confine ourselves to hereditary peers.

Mr. Howarth: As far as I am aware, Mr. Martin, Lord Longford is an hereditary peer.

The First Deputy Chairman: If the hon. Gentleman has not caught on to what I am saying, I am pointing out that other parts of his speech did not relate to the amendment.

Mr. Howarth: I give way to the hon. Member for Battersea.

Mr. Linton: I intervene in a genuine spirit of inquiry. We understand why the hon. Gentleman believes that life peers may have qualifications, whether we think that they are good ones or bad ones. However, does the hon. Gentleman believe that hereditary peers have a valuable role to play because any group of 759 people is bound to throw up a proportion with ability, or does he believe that there is something inherent in the hereditary peerage which entitles such people to sit in the other place? In one instance, there is the great-great-great-great grandson of an 18th century turkey merchant. Does that entitle such people to sit in our legislature or give them special abilities?

Mr. Howarth: The hon. Gentleman has had much fun during these proceedings making jokes about the origins of some of those who sit in the House of Lords. However, this is a serious matter. We should support the amendment because the hereditaries bring something special. I shall illustrate that with one example. The other day—perhaps I should not mention his name because I did not say that I would be referring to him—I was speaking to an hereditary peer. He told me that he had spent 40 years of his life earning a living and trying to keep his hereditary estate going. He had always said that on reaching the age of 60 or 65, he would devote his time to taking his constitutional place in the upper House.

The hon. Member for Battersea should not belittle the attitude of mind that is displayed by some of those who take extremely seriously their responsibilities as hereditary peers in the governance and affairs of our country. There is something to be gained in having people who, from the first days of their life, have been brought up with the concept that, at some time, they will have to make a contribution to public life. That is precisely what the sovereign does in bringing up his or her children and that is what hereditary peers do when they bring up their children.

I advance the case for the continuation of hereditary peers to sit and speak in the other place because I believe that they have something to offer. Labour Members have offered nothing to put in their place. They have not tabled any amendments to the Bill. They have suggested that, if the other place behaves well—

Mr. Mackinlay: The hon. Gentleman is wrong, is he not?

The First Deputy Chairman: Order. We need worry only about the amendment that is before us. The hon. Member for Aldershot (Mr. Howarth) is talking about the rights of hereditary peers, and about whether Opposition or Government Members have tabled other amendments. That topic is nothing to do with the amendment before us.

Mr. Howarth: I am trying to support the amendment, which is to the effect that the hereditaries should continue to sit and have the right to speak in the other place. I have been advancing that cause, and explaining why they bring something unique to the quality of our national life and to debates in the other House. I believe that the amendment is absolutely right and proper.

6.45 pm

Mr. Nick Hawkins (Surrey Heath): I have been listening carefully to my hon. Friend. Does he agree that it is absolutely clear that many hereditary peers have shown, by their many years of service in the other place, a belief in the tradition of public service, which used to be described as noblesse oblige? That is something that is valuable in our public life and many citizens have come to be grateful for it. Many causes dear to Labour Members have been taken up initially by Members of the other place.

Mr. Howarth: Indeed. I agree entirely with my hon. Friend. I was attempting to demonstrate that those in the other place approach the assumption of their titles in a way that is hard for us as ordinary citizens to understand.

Mr. Roger Gale (North Thanet): I ask my hon. Friend to place on record the appreciation that is felt by many Members of this place of Baroness Wharton. There are Labour Members who are staunch supporters of the all-party animal welfare group. They know that as deputy chairman of that group, Baroness Wharton—Ziki Wharton—has put in an enormous amount of work although she is a working lady who has to earn her own living. I ask my hon. Friend to ask Labour Members why they propose to bar somebody like that from taking a seat in the other place and making a contribution that in other walks of life they would support.

Mr. Howarth: My hon. Friend is absolutely right about Baroness Wharton. She has undertaken sterling work in the other place. One reason why she is able to do that is that she is not answerable to a constituency. She is a Cross Bencher and she is independent; she is also independent minded. Hereditary peers, in not having constituencies, do not feel constrained to pursue a line that might be in the interests of their constituency, but not necessarily in the interests of the country. Hereditary peers are able to take a broader view in the national interest.

Angela Smith: Will the hon. Gentleman give way?

Mr. Howarth: As soon as I have finished my point I shall, of course, give way to the hon. Lady. I am sorry, but she will have to listen to me for just a little longer.

Hereditary peers do not have constituency correspondence. That is a huge advantage. It means that they are not burdened with that aspect of parliamentary life. They are able to devote themselves to whatever

[Mr. Howarth]

cause, like the baroness to whom my hon. Friend the Member for Thanet, North (Mr. Gale) referred. They can take up the issues that they feel are important.

Angela Smith: Are we to take it that these interesting encomiums of individual Members of the House of Lords indicate that other Members of that place are not held in equally high regard by Conservative Members, or is the debate to be punctuated by our going through the entire 759 Members one by one and recording their individual worth?

Mr. Howarth: The debate could be punctuated by their contributions. That would make for an extremely interesting debate, but I know that you, Mr. Martin, would not particularly approve of that. You might find that that caused the debate to stray.

Mr. Swayne: The hon. Member for Basildon (Ms Smith) can table an amendment.

Mr. Howarth: As my hon. Friend says from a sedentary position, the hon. Lady is perfectly free to table an amendment to that effect. We look forward to seeing it on the amendment paper tomorrow.

The hon. Member for Thurrock (Mr. Mackinlay) or the hon. Member for Battersea asked what was the difference between hereditary peers and a lottery. If someone comes from the think tank Demos, the answer is not a lot. Demos has proposed that, instead of hereditary peers, we should have a lottery in which ordinary people are picked at random. The remarks of my right hon. and learned Friend the Member for Rushcliffe were not so wide of the truth. It appears that a lottery is proposed to choose who sits in the Lords.

The First Deputy Chairman: Order. Perhaps I can help the hon. Gentleman again. He is wide of the amendment.

Mr. Howarth: I was making the point that, to a certain extent, the hereditaries are something of a lottery and, therefore, we do not need an alternative proposal.

My right hon. and learned Friend the Member for Rushcliffe said that, if the amendment were passed and hereditaries were able to sit and speak in the other place, there would be no threat to the House of Lords from that. I disagree with him. If the Government were to support the amendment, they would find that the hereditaries who participated, albeit not in a voting fashion, would have something to contribute and would expose the flawed nature of the Government's proposal. Therefore, it is unlikely that the Government will accept the amendment, but they are exposing the flaw in the Bill by opposing it. They are also exposing the spite and animosity that they feel towards people who have, as many of my hon. Friends have pointed out, made a constructive and public-spirited contribution to our national life. I shall support the amendment.

Mr. Benn: I had not intended to speak, but I want to put on record the fact that the debate, and the speeches made by Conservative Members, ought to be made compulsory reading for every schoolchild in this country.

Those arguments have appeared time and again. I read the debate on Second Reading of the Reform Bill; it was warned that parliamentary democracy would disappear if the franchise were extended. I point out to the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), who is the leader or deputy leader or former leader—whatever he is—of the Liberal Democrats, that Mr. Asquith said that parliamentary democracy would be undermined if women got the vote. Today, we have had a complete rerun of the whole history of the argument for making this place democratic. Now, Conservative Members are trying to prevent that in the Lords.

The other aspect of the debate that has interested me very much is the total ignorance of Conservative Members of the real flexibility of the so-called hereditary system. As I said a couple of weeks ago, when the peers were first appointed, they were not hereditary at all. The Salisburys have had a wonderful way of using writs of acceleration: "Get there before you have inherited." I had a very amusing correspondence with Lord Salisbury—"Bobbity", as he was called—who wrote me an angry letter about what I was doing. I replied, "Dear Lord Salisbury, I only want a writ of deceleration." The Salisburys could do what they liked.

Someone talked about noblesse oblige; my problem was noblesse obligatoire, which was a slightly different complaint. I have no objection to hereditary peers at all; they are ordinary people, but they happen to be law makers, without any entitlement to be so. On the other question about a hereditary system, I wonder how many Conservative Members know that, in the old days, treason was hereditary for those convicted of it. The corruption of the blood went from generation to generation. I do not know whether Conservative Members are in favour of hereditary traitors, but they existed for a long time, until that was changed.

I share one view with Conservative Members. I am very disappointed that my colleagues have not come up with a simple alternative, which is to elect a second Chamber. Most civilised countries in the world do that. I do not know what would happen if new Labour got its hands on the Senate—heaven knows how the Senate would be appointed in the United States—so I agree with Conservative Members who complain about our opposition to that idea, but please do not try to persuade me that the Lords are the final safeguard against extending Parliament.

I remember when the Lords voted to extend the Parliament. There should have been an election in 1940, but a Tory House of Lords extended the Parliament to 1945. Why? Because everybody said, "We don't want an election in the middle of a war." If we really believe that the final safeguard of democracy in Britain is hereditary peers then, my God, democracy is not very safe. The hereditary peers are not based on democracy, they do not believe in democracy and they do not practise democracy, but we are told by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), a former Attorney-General, that they are our final safeguard against democracy disappearing.

The Committee would be well advised to settle this matter by a vote. We could then discuss the next group of amendments, which is much more interesting. We will be told to vote against Lord Weatherill's amendment, but, when it comes back from the Lords, we will be told to vote for it. We are going through the hoop in a way that no parliamentary party of which I have been a member has ever had to. Let us get on to that amendment, but, please, preserve the debate. It is a supreme example of the Conservative party at its best, and nobody has reflected that better than the hon. Member for Aldershot (Mr. Howarth).

Sir Nicholas Lyell: It is a real pleasure to speak after the right hon. Member for Chesterfield (Mr. Benn) who has been kind enough to mention me. I recall that, when the great Reform Bill went through in 1832, the Duke of Wellington held back his troops in the House of Lords and prevented them from voting against it. In consequence, it went through. There is another story—about one very fat peer being counted as 10, which also helped to carry the Bill through—but that would prove the right hon. Gentleman's version of democracy too well.

The point about the debate is that it does not concern the question whether the House of Lords should be reformed. Our great complaint, which I share with the right hon. Gentleman, and the country's great complaint against the Labour party, who have had 18 years to think about this, is that the Government have come forward with a proposition that will destroy what we have at present without telling us what they will put in its place. That will hang round the Government's neck at every stage of the consideration of the Bill, but that is not what we are debating.

We are debating what will be put in place at the interim stage. I share the reflective cynicism of some hon. Members. I hope that the interim stage will be extremely brief, that the Leader of the House will be as good as her word and that proposals will be introduced by 2000 so that we can get on with proper reform. However, I have no great confidence in that and we must consider carefully what we shall put in place in the interim.

I have said not that the House of Lords is in itself the foundation of democracy, but that it is our constitutional anchor. It gives the opportunity for the House of Commons to think again. It can hold up proceedings for long enough to force us to think once again about whether a proposal is what we want and what the country wants. That gives the country an opportunity to focus on what is the issue. The House of Lords can develop the argument, sort out the details and generally broaden the public debate. It is essential that that can continue during the interim period.

I support the amendment faute de mieux, although there is mieux available. The next group of amendments contains my own suggestions for what to do in the interim, but the amendment tabled by my hon. Friend the Member for South Staffordshire (Sir P. Cormack) is valuable in that it would enable the upper House to continue to contribute. Hereditary peers who contribute in practice would be able to continue to contribute their voices—and, thus, their wisdom—to debate and to influence the peers who will, after all, be almost entirely appointed and left as the substantial rump.

Once one gets into the question of legitimacy, the exact legitimacy of an appointed placeman, as opposed to that of the son of a hereditary placeman, is difficult to identify. I share the view of my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) that at least a significant proportion of the upper House—I do not go so far as to say the whole of it—should be elected. I also share the view of the hon. Member for Thurrock (Mr. Mackinlay), who provides an example of independence in a sea of conformity, that, in so far as it is elected, the upper House should be elected on a rolling basis. That would provide the constitutional anchor and the stability.

We are deciding whether Members of the House of Lords who, by definition, play an active part because they speak in debates, should be able to continue to speak. I have done a little research, with the assistance of the Library, to find out how often such people speak. We are considering all this in the context of the figure of 91 hereditary peers which has been suggested by the Government, although they will not allow us to push that figure upwards because they fear that they may be defeated in the upper House.

The Library has produced, from the parliamentary on-line information service, a record of how many peers have spoken more than 40 times since 1992–93—my amendment No. 18 suggests that we should go back through speaking records for 10 years—which shows that, in that time, about 90 peers spoke about 40 times. We lose out—this is one of my reasons for thinking that going for a figure of 91 is a bit too trite and much too limited—because some enormously significant contributions have been made by peers who have spoken a good deal less often.

7 pm

I know that it is invidious to mention names, but I have tried to select Cross-Bench peers who are known for particular interests. Lord Selborne, who chaired the royal commission on the environment, and who everybody agrees played an enormously constructive role in the upper House over those years, spoke 32 times. Lord Alexander of Weedon, who is a great banker and was a great lawyer, spoke 28 times. The Labour peer, Lord Wedderburn, a great trade union lawyer and a considerable constitutionalist, spoke 28 times. Lord Runciman, who chaired the royal commission on criminal justice, is an outstanding academic and has played an active role in the House, spoke 12 times. I could take the list on. Lord Gowrie, who used to play a great part in Government and is well recognised as a leader in the arts, spoke six times during that period. All those contributions were valuable.

We are discussing an interim, which the Government—I accept in good faith, although they may not achieve it—say will be relatively short. We need to keep the spirit of the House's diversity alive while we decide what to put in its place.

Mr. Hawkins: Does my right hon. and learned Friend support the concept that those hereditary peers who have played a part in the work of the other place over many years, whether they have spoken often or only on a few occasions, should be given a continuing role? That is what I suggested on Second Reading. My right hon. and learned Friend might be interested to know that I have discussed the matter with a number of newly elected Labour Members. Whatever they may say publicly in the Chamber, informally many of them agree that those who have done the work in the other place should be allowed a continuing role and that the number of those allowed to remain should not be restricted to 91.

Sir Nicholas Lyell: Yes, I agree with my hon. Friend. At the risk of immodesty, my amendments Nos. 16, 17 and 18, which are in the next group, propose precisely that. It would be out of order to discuss them now.

As I said, faute de mieux and, because it has genuine merit, I support the amendment proposed by my hon. Friend the Member for South Staffordshire. It provides an opportunity for those who are active in the House of Lords to continue to play a real role in the interim without threatening the Government's proposals. The Government's argument that they might be voted down by the trooping out of backwoodsmen might have some force—they grossly overstate the case, as they grossly overstate much of their case—but they cannot oppose the amendment on that ground.

Mr. Benn: Has the right hon. and learned Gentleman given any consideration to bishops? When a bishop ceases to have a diocese, he is booted out of the House of Lords. He may be a very wise and experienced bishop. He is allowed to use the Dining Room, but he is not allowed to sit in the House. What makes hereditary peers better than retired bishops? The first Archbishop of Canterbury, Cosmo Gordon Lang, who did retire, was made a peer because the Government suddenly realised that, as a retired archbishop, he could do nothing, so they gave him a barony.

The right hon. and learned Gentleman must study what he is talking about. He is speaking as if hereditary peers were better than bishops, but there is no logic in that. I find it fascinating and I shall promote the *Hansard* of this debate even more actively among my constituents, but it would be helpful if he knew a bit more about the Chamber that he speaks about so fully.

Sir Nicholas Lyell: The right hon. Gentleman, whom I greatly respect and for whom the House has great affection, is obviously intoxicated by his own vision of logic. In commending the example of bishops, he commends corporatism: the bishops represent the Church and the Law Lords represent the law. There is a genuine argument, which the Government are rightly considering, for setting up a partly corporatist upper House. If one is partly corporatist and one is booted out after a time, one disappears. I thought that the right hon. Gentleman was opposed to that, but I now see that he has a sneaking affection for it. He has also noted that archbishops—of York as well as of Canterbury—have been appointed life peers at the end of their term.

Let me return to my theme. The merit of the amendment is that it allows us to continue to benefit from the wisdom of Members of the upper House without threatening the Government. The threat to the Government from the upper House has always been grossly overplayed. What we need from an upper House is people of calibre, diversity and independence. That, above all, is what we need for our constitutional anchor while we consider carefully what to put in the place of the existing House.

I do not support the House of Lords' continuance provided that we can put something better in its place. The artificial attempts of the hon. Member for Walsall, North (Mr. Winnick) and others to suggest that all Conservative Members are wedded to the principle of hereditary peerage is not just simplistic but self-deluding, because that is an easy windmill at which to tilt. That is what the Government, with all their spin doctors behind them, like to pretend is the view of Conservative Members.

I was proposing constructive reform of the upper House within a year of being elected to this House because I did not want the kind of reform, flooded with nominated peers, that was then being proposed by the right hon. Member for Chesterfield.

The First Deputy Chairman: Order. The right hon. and learned Gentleman is going wide of the amendment.

Sir Nicholas Lyell: Yes, Mr. Martin, I was going wide. I accept that.

None the less, we must look at the interim. We do not seek to uphold the hereditary peerage in the last ditch: we want a constitutional anchor in the interim, and the amendment provides one constructive way in which we might get it.

Mr. Swayne: It is a pity that the hon. Member for Walsall, North (Mr. Winnick) is no longer in his place, for he appeared to be taking up the role of inquisitor-general that was played by the hon. Member for Corby (Mr. Hope) on Second Reading in asking each Conservative Member if he or she were in favour of the hereditary principle and whether he or she maintained that support for it despite its abandonment by Conservative Front-Bench Members.

For the benefit of Labour Members, may I say that I share the affection of my hon. Friend the Member for Aldershot (Mr. Howarth) for the hereditary principle. However, it ignores one salient fact: that, on 1 May 1997, the Labour party, which had explicitly put in its manifesto a commitment to abolish the voting rights of hereditary peers, won that election. Those of us with an affection for the hereditary principle therefore moved on, having lost that battle.

Mr. Gerald Howarth: How many electors does my hon. Friend think voted Labour specifically because of that manifesto pledge?

Mr. Swayne: I have not the remotest idea. However, it does not strike me as a matter of significance because the Labour party has a majority: it has introduced a Bill and can pursue that Bill in accordance with its manifesto. An academic discussion about who voted for what would be profitless.

The amendment is entirely consistent with the principle of the Bill—to abolish the voting rights of hereditary peers—but deals with the consequent practical difficulties that arise from giving effect to that manifesto pledge. As my hon. Friend the Member for South Staffordshire (Sir P. Cormack) said in moving the amendment, the main practical difficulty is that more than half the present occupants of the House of Lords will be dispensed with. That creates an enormous hole in terms of expertise on both procedure and particular issues.

My hon. Friend the Member for South Staffordshire mentioned to hereditary peers who have specialised in certain subjects and been of great public service in using their expertise to draw attention to those. Those peers would be unlikely to find themselves saved by amendments that may or may not be passed during the passage of this Bill. Amendment No. 1 is intended to deal with the loss of that expertise.

Having read the amendment, I still cannot muster any great enthusiasm for the proposed arrangement. My misgivings are not addressed by the fact that it is a transitory arrangement, which will fulfil a need during the hopefully short period that will be required before more fundamental reforms make the amendment—and, indeed, the entire settlement proposed in the Bill—unnecessary.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) was perhaps more charitable than me in saying that, if it took rather longer for final reform to come about, that might not be because of the Government's intention. I regard the amendment as a powerful incentive to the effecting of speedy reform. It has become clear in the debate that Labour Members have a passionate desire for the hereditary principle, in every form, to be dispensed with; let us therefore pass an amendment such as this, which will give them every incentive to maintain pressure on the Executive, and on Ministers in particular, to dispense with it. Unlike my right hon. and learned Friend, I suspect that the Government have every intention of letting the Bill remain as it is for ever, if necessary. It is therefore entirely appropriate for us to insert arrangements to ensure that the transitional period remains a transitional period.

The Government say that the matter is urgent, but that is belied by the fact that they did not establish a royal commission 20 months ago so that we could examine its findings now. Let amendment No. 1 supply the urgency.

Mr. Wells: As you will expect, Mr. Martin, I am anxious to stay in order so that you will not have to make a ruling. I want to ensure that you agree that we are discussing an amendment that will permit hereditary peers to sit in the House of Lords until such time as the temporary Chamber is abolished and a new Chamber is introduced. I trust that discussion of the way in which the Chamber will work will be in order, as will discussion of why it is necessary for hereditary peers to remain there to participate in debates. Those are important issues.

I risk inclusion in the distribution of *Hansard* in the constituency of the right hon. Member for Chesterfield (Mr. Benn), and being caricatured in the way of which only the right hon. Gentleman is capable. That is indeed a serious disincentive. I shall, however, talk about the way in which the House of Lords operates at present. Hon. Members have made speeches illustrating the fact that hereditary peers bring much quality and experience to their task, not least because many come from old families with a long tradition of public service.

Mr. Hawkins: Noblesse oblige.

Mr. Wells: I must ask my hon. Friend about the difference between noblesse oblige and droit de seigneur: I understand that there is a difference. In any event, hereditary peers have given long service to the House of Lords, as have their parents before them, and that service is still important. I suggest that their background is irrelevant. It does not matter whether they are descended from the lady who serviced Charles II in St. James's park, or come from whatever other background the Labour party would like to sling at them; and it does not matter whether what the Labour party says is true. What is important is their contribution to the House of Lords today, and there is no doubt that the quality and credibility of the House of Lords depend largely on the hereditary element.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the hon. Gentleman give way?

Mr. Wells: I should love to.

7.15 pm

Mrs. Dunwoody: I am listening carefully to the case that the hon. Gentleman is making. Is he aware that the bulk of the work in the other place is done almost exclusively by those who accept no party Whip, that most are created peers, and that the Cross-Bench group is represented in 90 per cent. of votes as being always present and always ready to discuss matters of state?

Mr. Wells: There is a great deal in what the hon. Lady says. I believe that the Cross Benchers form the largest single group in the House of Lords—they cannot be called a party—and add enormously to what goes on there. They include life peers, but also many hereditary peers—200, I believe—who participate in the elements of House of Lords activity that the hon. Lady admires. I want to talk about the life peers' contribution as well, but I know that you, will call me to order Mr. Martin, if I start talking about life peers. At present, I must concentrate on the 200 hereditary peers on the Cross Benches.

Together with their life peer friends, those hereditary peers make a major contribution—in Select Committees and on the Floor of the House—to the objectivity and, indeed, the quality of debates for which the House of Lords is much respected, as many of my hon. Friends have pointed out. I pay tribute to the selfless work of many peers.

The amendment seeks to preserve that in the interim House. We want to continue the traditions that have been established; we want the House of Lords to retain its credibility, and to continue its good work in checking what is done in the House of Commons and asking it to consider again when necessary. I especially appreciate the work of the House of Lords on European affairs.

Dr. Liam Fox (Woodspring): Does my hon. Friend agree that it is a matter not of academic purity—as Labour Members have suggested—but of pure common sense that, in an interim House, it would benefit the Government as a whole to retain the maximum experience?

Mr. Wells: Indeed. That is why I support the amendment. We are talking about quality, respect and credibility, and about the ability of the House of Lords to constitute a second Chamber of some merit. If the temporary Chamber is not of some merit, it will fall into disrepute, will soon be thought useless, and will therefore disappear. The last temporary arrangements for the House of Lords have lasted for 88 years: until today. There must be a danger that the temporary Chamber will become permanent, and that is one of many reasons for the amendment. The Government want a House of Lords that will be credible, will be able to handle the business and will be a check on the House of Commons, and that is why even they are beginning to support it.

[Mr. Wells]

The Government do not truly want a House of Lords that is elected and permanent, because of the timetable. Hon. Members know as well as I do that a royal commission that is given only nine months will do a very superficial job. If it has done a superficial job, how long will it take for a Joint Committee of both Houses to consider a badly drafted and ill-considered report—as this report is almost certain to be, after only nine months?

The First Deputy Chairman: Order. The hon. Gentleman is straying wide of the amendments. I know that he is always keen to keep within the scope of the amendments. I rise to try to assist him.

Mr. Wells: I was hoping that, during my remarks, you would not feel impelled, Mr. Martin, to rebuke me for not keeping the debate closely related to the amendment. If I may demonstrate, it is important to consider what the temporary Chamber with the hereditary peers in it is likely to be like and how long it is likely to last.

The First Deputy Chairman: Order. The hon. Gentleman does not need to worry about the temporary Chamber. He needs to worry only about the amendment before us, which gives certain rights to hereditary peers. Other amendments may cover the points that he is trying to make. Obviously, when they come before us, he will be able to catch my eye.

Mr. Wells: If I am not mistaken, the amendment talks about including Members of the House of Lords without the capacity to vote, but with the capacity to speak in the Chamber that the Bill sets up. Therefore, we need to talk about the totality of its make-up and whether it will work as a temporary Chamber, for however long "temporary" may be. It has been undefined in the Bill. It remains undefined by the Government. Therefore, we have to consider seriously how long the temporary Chamber with the hereditary peers—which is what I support: the hereditary element in that temporary Chamber—will last and the quality of that Chamber as a result of the hereditary peers being able to speak.

I strongly support the amendment, as I strongly support the next amendment—I will make other points on that, which I hope you, will find to be in order Mr. Martin—because I believe strongly that we need hereditary peers in the Chamber for the time being. The reason for that is that those are the people who give credibility to the House of Lords and provide quality in its work. I have paid great tribute to many of those who work in that way. I want to see them in the interim Chamber.

If the amendment fails, and I assume that we will be in order if we consider what will happen if the amendment fails, we shall have a House without hereditary peers being able to sit and to speak in the House of Lords. Therefore, we will have a Chamber—as the Bill proposes, before it is amended—simply with life peers. Life peers are appointed by Crown privilege—by the prerogative of the Prime Minister. They often have party allegiances, although some have gone to the Cross Benches, as the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has said. However, would they be bound by the Salisbury convention?

As I understand it, the convention says that, when legislation reaches the House of Lords from the House of Commons, it must be passed to let the Government have their way. We may have a House of Lords without the hereditary peers being there to speak. Hereditary peers would probably honour the Salisbury convention, but life peers will not do so.

The Government have said that they will appoint at least 55 additional life peers. That will give the Labour party a quality of representation: there will be a balance between Conservative life peers and life peers who have adherence to the Labour party.

The First Deputy Chairman: Order. Perhaps I can again assist the hon. Gentleman. He is talking about the structure of the other place. We are considering voting and speaking rights for hereditary peers, so he should stick to the narrow confines of the amendment that is before us.

Mr. Wells: I am sure that you would agree, Mr. Martin, that the Salisbury convention was so named because it was proposed and advocated by a hereditary peer.

The First Deputy Chairman: Order. Perhaps there is another occasion when the hon. Gentleman can talk about the Salisbury convention, but he should not do so in the debate on the amendments that are before us. They are too narrow for that.

Mr. Wells: Let me bring myself directly to order. We want hereditary Members of the House of Lords to remain to speak—not to vote, but to speak; that is what the amendment is about. It is that body of peers, the hereditary peers, that will respect the Salisbury convention. I will leave the matter by making the following point if you do not wish me to go on and develop that point still further, Mr. Martin; I understand your need to keep the debate under strict control and I respect that fully: it is the hereditary peers who will respect the Salisbury convention. That is why we need them. Life peers are not likely to do so. I will leave that point to other debates.

Mr. Tyrie: One aspect of the relationship between the clause and the Salisbury convention is that the convention is intended to apply mainly to non-obstruction of Government business that has been in a manifesto: legislation should not be voted down on Second Reading. However, another possibility is that the convention might need to apply to those people who might consider filibustering against Government business. If we passed the clause, might we not have to consider the possibility that peers who are brought in who have the right to speak, but not vote, may yet play a constitutional role by filibustering?

Mr. Wells: Filibustering is a time-honoured convention of this House. I know that those who fill the Chair do not agree with that time-honoured convention and seek to prevent any such thing from taking place, but it is a useful democratic tool in a debating Chamber such as this—an elected one—as it is in the House of Lords. Therefore, hereditary peers would assist the process of delay. As you will know, Mr. Martin, because of the number of years that you sat on the Back Benches, that is practically the only weapon that is available to the Opposition to bring the Government to their senses and to make them listen to some views that they would rather not hear. I know that you are very determined to make certain that all Back Benchers get that opportunity, which I use at the present time.

One of the serious issues is the way in which the Government will use the House of Lords without the hereditary peers in it. Clearly, it will be a major extension of Executive power if the Government totally control the way in which the House of Lords votes. That is what will happen in the House of Lords if it is totally appointed and does not have the element of hereditary peers, even if they do not have votes.

We will talk about hereditary peers with votes in the debate on the next amendment—which I have a lot to say about as well—but here we are looking at a House of Lords with 55 extra Labour Members, who will be able to pass anything that the Prime Minister wishes to have passed. There will be no delaying powers, however long the filibuster. That is why we need the hereditary peers in the interim Chamber. Otherwise, we put the House of Lords in limbo—a limbo position whereby it will be simply the poodle of the elected Government.

7.30 pm

Mrs. Dunwoody: The hon. Gentleman seems to be suggesting that the "limbo" position is horizontal.

Mr. Wells: I know that the hon. Lady has visited the Caribbean. She is of course right to say that, in the Caribbean, limbo dancing is done horizontally, under a flaming bar, to calypso music of the type that is performed so brilliantly in Trinidad and Tobago during carnival, which starts today and leads up to Lent. However, I believe that you would quickly pull me up to order if I followed that thought, Mr. Martin.

Limbo—lying down—is exactly what the elected Government want the other place to do. I believe that we need the hereditary peers to prevent such a Chamber being created.

We have also to question the Government about the peculiar position into which they have got themselves. Although they oppose amendment No. 1, they will support an amendment tabled subsequently in the other place proposing to retain hereditary peers with powers.

The First Deputy Chairman: Order. The hon. Gentleman knows that he must not speak to subsequent amendments. We must dispose of this group of amendments before dealing with the next one. There is no point in mentioning subsequent amendments now. He will be able to speak to them when we reach them.

Mr. Wells: I should be very interested to know what your Clerk would advise you, Mr. Martin.

The First Deputy Chairman: Order. No one advises the occupant of the Chair—who has made a decision and given a ruling.

Mr. Wells: I assure you, Mr. Martin, that I have no doubt that you will always make very positive and proper decisions in the interests of all hon. Members.

The Government are in a peculiar position. In a subsequent amendment, they will be supporting hereditary peers with voting rights, whereas, in amendment No. 1, they will not support peers without voting rights. That seems to be illogical.

The First Deputy Chairman: Order. We are considering amendment No. 1 and the amendments grouped with it. We shall consider the next group of amendments when we reach it. Let us speak to this group of amendments before proceeding to the next one.

Mr. Wells: I believe that, if we pass amendment No. 1, we may not have to worry about the next group of amendments. If we pass the amendment, the Clerk may say to you, "The next amendment falls." We could therefore move on even more swiftly—which I know would very much please your heart, Mr. Martin, and the hearts of the Government Whips.

Sir Patrick Cormack: Perhaps I might help my hon. Friend by saying that, if the Government had the good sense to accept amendment No. 1, we might well decide not to move the next group of amendments.

Mr. Wells: That might be a very sensible course of action. If we passed the amendment, we would have a new House of Lords in which we retained all the peers and would not have to choose from among them. They would not have to elect from among themselves, and we would not have to have the peculiarly distorted electoral process described in the next group of amendments, which we shall debate at length.

If we passed amendment No. 1, we would create a House of Lords that is credible and contains all the talents. I should say that I wonder why the hereditary peers give so much time to the work of the House of Lords. They deserve our respect and great gratitude for doing the very hard that work they do.

If we passed amendment No. 1—even if the new second Chamber were temporary for much longer than any of us suspect that it will be—we would have a second Chamber of which the United Kingdom could be proud and that would fulfil a very useful function in our overall parliamentary process.

I therefore commend amendment No. 1 to the Committee.

I am grateful to you, Mr. Martin, for your forbearance in allowing me to try to apply some pertinent points in the argument that we should have hereditary peers—unable to vote, but sitting in the other place.

Mr. Tyrie: I shall be brief. [Hon. Members: "Shame."] I can only assume that that is a reference to one or two other occasions—which hon. Members liked—when I spoke in the House.

The amendment expresses not a new idea but an idea that has been around for a very long time. It was first expressed as a serious proposal, in draft legislative form, by a Labour Government, in 1968. Richard Crossman proposed it. Labour quite happily signed up to the idea then—and it did so after a process of all-party consultation. If there is one salient and appalling aspect of the way in which the current Government have gone about their business in introducing the Bill, it is that there has been no all-party consultation.

[Mr. Tyrie]

On all previous occasions when fundamental reform of the House of Lords has been proposed by a Government—in 1910, 1948 and 1968—there has been prior all-party consultation. There has not been such consultation this time—not a scrap of it; nothing at all. The Government have simply introduced the Bill and told us to vote for it. Today, we have the opportunity at least for a little debate and to point out that Labour itself once supported—even introduced—the proposals made in the group of amendments before us.

After all-party consultation, the proposals were agreed by Conservative Members. Lord Carrington agreed to them. Consequently, they might easily have found their way on to the statute book. Having said all that, however, I cannot say that I am terribly attracted to the idea.

Mr. Wells: I wonder whether my hon. Friend will reflect on the reasons why that Bill was not passed? It was, after all, Mr. Foot and Enoch Powell who opposed it.

The First Deputy Chairman: Order. The hon. Gentleman should know better. We are going far too wide of the matters dealt with in amendment No. 1.

Mr. Tyrie: One of the reasons why it was not passed—

The First Deputy Chairman: Order. I have made the point. The hon. Gentleman should speak to the amendment. The history of previous Bills is nothing to do with what we are considering now.

Mr. Tyrie: If you will be forbearing for just a moment, Mr. Martin, I promise you that—probably even by the end of the sentence that I was beginning—I shall be able to show that I am speaking exclusively to the amendment.

One of the main reasons why the earlier Bill was not passed is that the proposals in it were very complicated and would have been difficult to administer. A crucial and difficult aspect of the administration of that Bill was the decision to have people sitting alongside one another some of whom would have been able to vote and some of whom would not.

Sir Patrick Cormack: Does my hon. Friend accept that there is a significant difference between this Bill and the earlier Bill—which was to be a once-and-for-all reform? The situation created by the earlier Bill would have persisted for many years, whereas our proposals deal only with an interim stage.

Mr. Tyrie: My hon. Friend anticipates remarks that I shall make in a few moments. Be not afeard! Tonight, I shall not be a rebel: I shall be back on-side by the time the Division bell goes.

In 1956, a study of the idea was made by an official working party, including Clerks of the House, which has become available under the 30-year rule. On the proposal that is dealt with in amendment No. 1, which was supported by the Labour party in 1968, the report concluded:

> "A second Chamber which contained a large number of peers who were impotent but not speechless would be regarded by many as ludicrous and unrealistic."

The working party also said that such an arrangement would be wholly impractical, making the composition and voting structure of the Committee structure of the House of Lords very complicated and almost impossible to run.

In normal circumstances, such a report would have caused me to want to oppose amendment No. 1. We must look at the amendment in the context of the Bill, and I have never seen a more foolish and stupid Bill. It is not even halfway sensible.

Mr. Greg Pope (Hyndburn): The poll tax?

Mr. Tyrie: The hon. Gentleman mentions the poll tax—

The First Deputy Chairman: Order. The hon. Gentleman mentioned the poll tax, and I have told him to be quiet.

Mr. Tyrie: I am doing my best. You will recall, Mr. Martin, that the last time I was called to order, I completed my sentence to arrive absolutely within order in seconds.

Mr. Forth: My hon. Friend has pointed out that the report referred to the impracticality of the proposal in the amendment. Does he agree that there is a certain attractiveness in that? If stage 1 were demonstrated to be impractical, would that not hasten the need to move to stage 2?

Several hon. Members *rose—*

Mr. Tyrie: I am reluctant to give way any more because everyone seems to want to make the few points that I have left for me, which is very distressing. I will do my best to make the points in my own way, and then I will sit down quickly.

We are faced with a Bill that will leave the House of Lords not even halfway workable. It will be a joke of a House of Lords—nothing more than a farce. It will be something for which the public will show no respect and which will command no general consent. That is why anyone with any sense should support the amendment, which would at least provide an element of continuity between where we are now and stage 1. It would enable a few people who know what they are doing to carry on articulating their views and demonstrating the independence that is an essential part of a second Chamber.

It is possible that the amendment would have no effect, and that the House of Lords would look just as bad with or without hereditary peers having speaking rights—I do not know—but I am sure that it would not make it look worse. I am therefore moved to support the amendment. I am particularly aware of the points made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), because the retention of those peers with speaking, if not voting, rights will increase the pressure on the Government to introduce stage 2 reform. I have always wanted stage 2 reform and believed that we should go straight to it. I have never wanted stage 1. It is essential that we have a second Chamber that works effectively.

It is possible that the proposal will flag up even more saliently the absurdity of the interim House. We have heard tonight that the interim House will be a dog's breakfast or a pig's ear. No language is too strong to describe the disgraceful constitutional gerrymandering that the Government are embarked on. At best, the amendment assuages a tiny bit the damaging impact of that; at worst, it can do no damage. I therefore commend it to the Committee.

Mr. Grieve: One of the features to emerge from the debate—it came as a surprise to me—was the way in which a number of the Government's supporters suggested that the main thrust of the amendments was in some way to prolong into a future Parliament the role of the hereditary peerage. My support for the amendment comes precisely from the desire to see stage 2 implemented—exactly like my hon. Friend the Member for Chichester (Mr. Tyrie).

I said on Second Reading—I stand by it—that I was unwilling to embark on stage 1 without stage 2. Since the Government have freed the logjam and made that decision for me, I want to move rapidly to a stage 2 that will lead to a radical transformation of the relationship between the two Houses and, above all, of the way in which the upper House operates and is selected. I am increasingly coming to the view that the only way in which that can be done—and the only way in which we can be sure that Governments are brought to account and that there is proper public scrutiny of business—is with an elected second Chamber.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) said that he accepted the Government's assurance that they would try to move to the next stage by 2001. In fact, if one looks at the Government's comments on Second Reading as concerning the length of the interim—

The First Deputy Chairman: Order. The hon. Gentleman must concentrate on the amendments, and not on Second Reading or on stage 2. He cannot speak at length on those matters.

7.45 pm

Mr. Grieve: I will do my very best, but I hope that some forbearance will be exercised towards the development of arguments on what I think are relevant points—points centring on the amendments—from Members who may come late to the debate but who have sat through everything, as opposed to the latitude that seemed to be allowed to those who participated earlier.

If we allow hereditary peers to remain as participating, but not voting, Members of the interim Chamber, it will provide a powerful mechanism to ensure that the quality that they have contributed in the past—which Labour Members have acknowledged—is maintained. However, they will not be interfering with the basic premise repeated so often on Second Reading—that the fact that they are there by right of heredity is wrong; that the Government have a mandate to bring about change; and that the Government wish to see an upper House that is more balanced in terms of the proportions of the parties.

None of those matters is interfered with in any way by amendment No. 1, which is targeted at continuing participation by hereditary peers in debate, but not in votes. On 1 February, the Under-Secretary, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) said:

> "The White Paper made it clear that if we can get a consensus and if the commission meets the timetable, we shall make every effort to ensure that the second stage of reform is approved by Parliament by the next general election."—[*Official Report*, 1 February 1999; Vol. 324, c. 696.]

That is hardly in accordance with the Government saying the year 2001—and, indeed, as a nebulous promise it takes some beating. At the end of that debate, the Minister said that only by consensus could the Government move forward.

The First Deputy Chairman: Order. Once again the hon. Gentleman is going wide of the amendments. I am bound by the rules of the House, and I cannot allow him to do that. It is not good if the Chair keeps intervening, but I must do so if the hon. Gentleman goes wide of the amendments. We cannot have a rerun of the Second Reading debate.

Mr. Grieve: I apologise, but I am referring to the significance of the amendment in terms of the problem pointed to by the Minister of State. There is no consensus. There is no consensus of any kind among Labour Members. What powerful mechanism can therefore be introduced by the amendment to ensure that the Government are shamed into hastening stage 2? I believe that the hereditary peers' continued participation in the upper House will be that powerful mechanism. They will not have a vested interest in voting, but they are the one group with a permanent and vested interest in seeing that the Government honour their commitments on both stage 1 and stage 2 of reform.

I have no faith in the Government's promise; not because I think that the Minister of State tried to deceive the House on Second Reading—or, for that matter, that the Leader of the House has tried to do so—but because of the difficulty of achieving consensus, and therefore of not moving to the second stage.

Amendment No. 23 deals with the question of leaving to the hereditary peers a residual voting right over the extension of the life of the Parliament. The issue goes to the heart of a major flaw in the Bill, to which we shall return on the next group of amendments. No adequate answer was provided by Ministers on Second Reading. I hope that the matter will be fully discussed in Committee. My understanding of a Parliament is that it subsists for a set period. It is started by the issue of a writ of election, followed by the writ of summons to individual peers to attend. We are one body in terms of the constitution and make-up of this House and of the other House. I am the first to accept that we have the power to change that make-up for the future, but I should be interested to know the constitutional basis on which the House can lop off a limb—a part of itself—during the currency of the Parliament.

We shall come back to that on the next group of amendments, because it is critical. I should also like to talk about a European human rights dimension. If we accept the basic premise on amendment No. 23, it becomes even more extraordinary that the hereditary peers should be deprived of their right to vote during the currency of a Parliament to which they have been summoned, and of the chance to debate that Parliament being perpetuated ad infinitum. There is a possibility—albeit a technical one—that that could happen.

[Mr. Grieve]

I share the view of my hon. Friend the Member for Aldridge–Brownhills (Mr. Shepherd) that it is unlikely that the power would be abused by the life peers or that they would not be capable of opposing a wrongful decision of this House to try to extend its life. However, that does not alter the fact that the hereditary peers were summoned to this Parliament for its life. Technically, this Parliament could continue ad infinitum without a fresh Parliament being summoned. That is a major flaw in the legislation, which could be cured by allowing the hereditary peers the right under the constitution to ensure that this Parliament does not have an infinite existence.

Mr. Michael Fallon (Sevenoaks): Does not that also strengthen the case for excluding the composition of the future House from the remit of the Parliament Acts? It was not excluded from the Parliament Act 1911 because the Act was supposed to be temporary.

Mr. Grieve: My hon. Friend makes a good point. There might well be compelling arguments for so doing, although I accept that this Parliament has the right to settle and regulate how a future Parliament might be constructed. My objection, which I shall return to in the debate on the next set of amendments, centres on our right to do that during the course of this Parliament, rather than leaving it to a future Parliament after the next election. That is why I suggested on Second Reading that we should have been wise to legislate and then defer the changes until after the next election.

I hope that the Minister will consider my point. I shall raise several times in Committee the constitutional propriety of the way in which we are going about our business. I was promised last time that the Government would give some indication of how they view the matter, but they have not yet done so. On that basis, I am happy to bring to a close my contributions on the amendments.

Mr. Hoon: May I belatedly welcome you to the Chair, Mr. Martin? You have not had the excruciating, or exquisite, pleasure of sitting here throughout this fascinating and ingenious debate. I say "ingenious" because of Conservative Members' efforts to get across their arguments and—dare I say—their previously prepared speeches while staying within narrowly drawn amendments. As ever more Conservative Members turned up to make their contributions, I wondered whether the real ingenuity was taking place somewhere else in the building, with Conservative Whips encouraging their Members to contribute, but perhaps not always telling them the precise nature of the amendments on which they were expected to speak.

I congratulate the hon. Member for South Staffordshire (Sir P. Cormack) on setting the style of the debate with the ingenuity of his speech. He used all his considerable eloquence to circle round the central question of why, although he accepts that hereditary peers should not vote on legislation—as I understand that he now does—he believes that they should have the right to attend, sit and speak in the legislature simply as a result of the accident of their birth. The same argument that applies to their right to vote must apply to their right to sit.

I know that the hon. Gentleman is a great student of history and literature. While listening to his speech, when he demonstrated his considerable enthusiasm for the hereditary peers, I was put in mind of the words of Walter Bagehot, with which I am sure the hon. Gentleman is familiar. He wrote that the cure for admiring the House of Lords was to go and look at it. Bagehot was writing in very different times, of course, making observations that are no longer strictly relevant. He was writing in the 19th century, calling for a fundamental reform of the second Chamber.

Mr. Crispin Blunt (Reigate): There is a distinction between the right to vote and the right to speak. I was not able to take part in the earlier exchanges because I was detained on matters concerning defence and foreign affairs, which are my areas of interest and knowledge. If the amendment is not accepted, we shall throw away all the knowledge and expertise that is sitting in another place before we come forward with plans for stage 2 that tell us what the final nature of the Chamber will be.

Mr. Hoon: We have heard some descriptions of the 1968 proposals. The Government have been taken to task because the Labour party then supported the idea of having two sorts of Member. Unfortunately, the hon. Member for Chichester (Mr. Tyrie), who is no longer present, did not follow that point through. The 1968 proposals failed because the Conservatives withdrew their support on the grounds that they were too complex and would have produced two sorts of peer. That completely answers the hon. Gentleman's point.

The Government will resist the amendments because we stated categorically in the manifesto on which we were elected that the rights of hereditary peers to sit and vote in the House of Lords would be ended by statute—not just the right to vote, but the rights to sit and vote. We made it abundantly clear in the manifesto, the White Paper and recent debates that hereditary peers should not be allowed to sit or vote in our Parliament solely on the basis of their birth and without any consideration of their personal qualities and achievements.

Mr. Forth: In that case, how can it be that the Government may be conceding the principle of keeping a certain number of hereditary peers in the interim stage? We do not know whether they will, because the issue has not shuttled back and forward yet, but perhaps—

The First Deputy Chairman: Order. That is a matter for the next debate.

Mr. Forth: On the other hand, the Minister is saying that the Government have a manifesto commitment that there can be no hereditaries in the upper House.

The First Deputy Chairman: Order. Perhaps it is time to let the Committee know that interventions should be brief. There should not be any lead-ups to a case. Hon. Members should just put their case.

Mr. Hoon: The Bill is designed to ensure that the House of Lords is a modern, capable and effective second Chamber, fit for a Parliament of the next century. There is no place for hereditary pe[illegible]n such a Chamber. There is no case for them to be allowed to vote, to speak, to sit or to participate.

Mr. Oliver Letwin (West Dorset): If the Bill is meant to do all those wonderful things, why have a White Paper and a stage 2?

8 pm

Mr. Hoon: Because, as Conservative Members have said, we have failed in the past to deliver any reform of the House of Lords. As several Government Members said on Second Reading, successful reform can be achieved by a series of stages. We have set out the stages and a timetable, and we intend to deliver on our manifesto commitment.

Mr. Nigel Evans (Ribble Valley): This has been a good debate. Including myself, 20 right hon. and hon. Members have spoken. The Minister quoted Bagehot saying that those who admired the House of Lords need only come to look at it; Conservative Members feel that those who admire parliamentary democracy need only come here to see how badly reforms are needed, not only for the upper Chamber but for the whole Parliament. We need the checks and balances that a properly constituted second Chamber will provide. That is the purpose of the amendments.

We have been told time and again that we are promoting the hereditary principle for the long term or that we want to delay reform and pack the second Chamber with hereditaries. That is not the case. We have already conceded the fact that the second stage House of Lords will have no place for the hereditary principle, but, as yet, we do not know what the second stage will be and we are concentrating on stage 1.

Page 4 of the White Paper breaks with the manifesto commitment to abolish all the hereditary peers. It says that the Government will be minded to accept the Weatherill amendment in another place, so the Government have already conceded that the hereditary principle should be part of the first stage reform. The amendment expands that one step further, suggesting that hereditary peers should have a role in stage 1.

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): That is not the point at all.

Mr. Evans: The right hon. Lady may disagree, but page 4 of the White Paper says:

> "Legislation being introduced in this Parliamentary session will create a transitional House of Lords. If, as has been proposed, an amendment to the legislation is supported to allow a small number of hereditary peers to sit temporarily in the transitional House, the Government is minded to accept this proposal at an appropriate stage."

The Government have conceded the principle and we have expanded it in the amendment to take heed of the fact that there are so many hereditary peers who could make a contribution—by voice, not vote—in the transitional upper Chamber.

Mr. Hoon: The Government are committed to abolishing the remaining hereditary peers and moving quickly to stage 2. Conservative Members have consistently said that they are suspicious about our determination to get on to stage 2. Surely the fact that there will be a residual number of hereditary peers demonstrates how determined we are to get to stage 2 quickly.

Mr. Evans: Some people, more cynical than myself about accepting what the Minister says, might argue that the Government are holding a pistol to the head of the hereditaries in the upper House to ensure that the legislation passes more smoothly there. The 1911 amendment was a temporary measure, and here we are, 88 years on, considering the same matter.

Mr. Shepherd: I hope that my hon. Friend will be very cautious about the argument that has just been advanced. A White Paper on freedom of information was published well over a year ago, with many promises of a draft Bill, and we are still waiting.

The First Deputy Chairman: Order. We cannot go into freedom of information on these amendments.

Mr. Evans: We all accept that 59 per cent. of the House of Lords is hereditary. The Government's rate of peerage creation has been higher than any since 1958, but I fully accept that they are trying to increase the number of peers representing the governing party in the upper Chamber. They have created 105, including the four Law Lords, since the Prime Minister took office.

Of the peers under 39, only two are there by appointment, so 36 are there by succession. We have always argued that it is good to get youth in Parliament and give young people the opportunity to have their say. That is one argument in favour of succession. *[Laughter.]* Hon. Members mock, but hereditary peerages are one way in which young people can get a say about the governance of this country. *[Laughter.]* It is amazing that Labour Members can dispute the fact that 36 of the 38 peers under 39 are there by succession.

Mr. Garnier: Would it not be easier to accept the mockery of Government Back Benchers if they had taken the time and trouble to contribute to the debate? I think I am right in saying that only two Labour Back Benchers have spoken this evening, but they now come in giggling and smirking, as though their giggles and smirks were of some intellectual value.

Mr. Evans: My hon. and learned Friend is absolutely right. We know that the Government are not prepared to accept facts.

The amendment would allow the Government to have the benefit of the current wealth of experience—I hope that Labour Members do not dispute the fact that such experience exists in the upper Chamber—without having to whinge constantly about being voted down. The amendment is designed to retain the voice, not the vote. We seek the quality of peers' minds, not the quantity of their votes.

What are the Government worried about? Successive Prime Ministers have used patronage to put people of experience from the House of Commons into the House of Lords to carry on with their role of scrutinising legislation. David Steel, Margaret Thatcher and other politicians have made that transition and, as other hon. Members have said, not only politicians go to the other place.

We are in favour of a transitional House, but we do not know to this date how long the transitional House will last. The Parliamentary Secretary, Privy Council Office wrote to me on 9 February:

> "you asked what would happen if the report of the Royal Commission is not to the Government's liking. As you well know, no Government is bound by the conclusions of a Royal Commission.

> Our aim in setting up a Royal Commission to consider long-term reform of the House of Lords is to enable the widest possible consultation and debate on such a fundamental issue, with the aim of reaching a consensus with all the interested parties, not just the politicians."

There are no guarantees. We do not know what the royal commission will propose.

Mr. Tipping: If the hon. Gentleman is so keen to find consensus and a solution, when will we see the former Lord Chancellor's proposals? If we want to make haste, we must see the Conservative proposals.

Mr. Evans: The answer, as the hon. Gentleman knows, is soon. If he and his party had been so serious about second-stage reform, they would have set up the royal commission in May 1997, instead of waiting until a couple of weeks ago to announce it. There is more sincerity on this side of the Committee than has been displayed to date by Labour Members.

I shall pick out some of the points that have been made. My hon. Friend the Member for South Staffordshire (Sir P. Cormack) said that 40 per cent. of regular attenders were hereditary peers. That wealth of experience will be denied to the upper Chamber during what we hope will be a relatively short transition period. The hereditary peers' wealth of experience, in their voices but not their votes, would assist with the 2,000 amendments that the House of Lords passes every year. My hon. Friend mentioned the Countess of Mar and the third Baron Freyburg—the former a senior peer and the latter a new peer—as two examples of a number of peers who have been able to make considerable contributions in the upper Chamber.

The hon. Member for Portsmouth, South (Mr. Hancock), in a short speech, said that he was disappointed by the staging process, but was prepared to accept the fact that there would be two stages. One of the bones of the contention is that he is prepared not to allow hereditary peers to make a contribution to that process.

The hon. Member for Battersea (Mr. Linton), in his speech and in an intervention, said that a House of 750 hereditary peers would throw up people of ability. Of course that is the case, and those people of ability should be given the opportunity, at least during the transition period, to contribute to debates. The retention of the voice, but not the vote, of hereditary peers would concentrate the Government's mind in considering the royal commission's proposals and encourage them to make stage 2 proposals to the House as soon as possible.

My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) talked about the need for checks and balances. They will be needed more than ever because of the ever-growing power of the Executive in Downing street.

The hon. Member for Braintree (Mr. Hurst) mocked the experience and talent that are available in the upper Chamber, which was rather a shame, given the commitment and dedication shown by peers over many years.

My hon. Friend the Member for Stone (Mr. Cash) was critical of the amendment, but, as I have tried to point out, there is nothing sinister about wanting to retain the hereditary principle during the transition period. Those peers would be there only to give guidance, advice and expertise during the transition. We do not know what the next stage will be—it could be a wholly elected Chamber, as we have heard many hon. Members suggest this evening, or partially elected and partially nominated. Some peers leaving the upper Chamber may want to stand for election. We shall find out when we reach stage 2.

My hon. Friend the Member for Teignbridge (Mr. Nicholls) said that the amendment was a practical mechanism to allow the peers' expertise to be retained in the upper Chamber. That is absolutely right. We must remember that the powers of the upper Chamber are totally different from those of a second Chamber. Nobody is saying that we want the upper House to compete with the lower House, but we want to ensure that there are proper checks and balances.

I could carry on for some considerable time; I am delighted that, as I speak, hon. Members are flooding into the Committee in the anticipation and hope that I will do so, but I must bitterly disappoint them. I shall not have the opportunity to consider many of the points made about the amendments. Needless to say, I hope that those hon. Members who have come in late and were unable to listen to the debate, which has been good and wide ranging, will at least consider that we have the opportunity to support the hereditary peers who have served the House of Lords and parliamentary democracy well for many years.

We can give those peers their voice, but not the vote that the Government have said, time and time again, caused them to introduce the Bill. The Government said that there was a need for legislation because they were continually outvoted in the House of Lords and democracy was eaten away by the fact that the Conservatives had a permanent majority there. The amendment would remove that majority, but it would not remove the commonsense voice of those hereditary peers who have served Parliament well for many years.

Question put, That the amendment be made:—

The Committee divided: Ayes 131, Noes 332.

Division No. 67] **[8.15 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney
    (Chipping Barnet)
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
    (Rushcliffe)
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick

Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith,
  Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. Tim Collins.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Rt Hon Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
  (Wolverh'ton SW)
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew

Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George
 (Hamilton S)
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
 (Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann
 (Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Jim Dowd.

Question accordingly negatived.

Mrs. Eleanor Laing (Epping Forest): I beg to move amendment No. 2, in page 1, line 6, at end add

'except that—

(a) 75 hereditary peers shall be elected as members of the House of Lords in accordance with subsection (2).

(b) 14 hereditary peers shall be elected as members of the House of Lords in accordance with subsection (3).

(c) the Lord Great Chamberlain and the Earl Marshal shall be members of the House of Lords.

(2) The electors for the purposes of subsection (1)(a) shall be the holders of a hereditary peerage.

(3) The electors for the purposes of subsection (1)(b) shall be the members of the House of Lords.

(4) The Secretary of State may by order make such provision about the conduct of the elections under this section as he considers appropriate.

(5) No order under this section shall be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.'.

The First Deputy Chairman: With this, it will be convenient to discuss the following: amendment No. 3, in page 1, line 6, at end add

', unless he or she is the first holder of a hereditary peerage.'.

amendment No. 25, in page 1, line 6, at end insert

'and any transitional arrangement enabling certain hereditary peers to continue their membership of that House shall cease to have effect on the expiry of the period of twelve months from the date of publication of the final report of the Joint Committee of both Houses of Parliament announced in Command Paper No. 4183'.

Amendment No. 16, in clause 4, page 1, line 14, leave out from 'force' to end of line and insert

'on a date not less than six months after the passing of this Act nominated by the Secretary of State'.

Amendment No. 17, in page 1, line 16, leave out 'Session' and insert 'date'.

Amendment No. 18, in page 1, line 16, at end insert—

'(2A) Prior to nominating a date for the coming into force of this Act the Secretary of State shall make inquiry and lay a report before both Houses of Parliament, setting out the names of all current hereditary peers who have played a significant role in the workings of the House of Lords during the ten years preceding the passing of this Act; and such hereditary peers shall be entitled to remain members of the House of Lords, pending the enactment of proposals for the wider reform of the House of Lords following the report of the Royal Commission and public consultation concerning its proposals.'.

New clause 12—*Peerage of Scotland*—

'( ) Nothing in this Act shall be taken to prevent sixteen peers from the peerage of Scotland from voting in the House of Lords.'.

Amendment No. 10, in title, line 1, leave out 'End' and insert 'Restrict'.

Mrs. Laing: The amendment would allow 91 hereditary peers to remain as Members of the House of Lords during the so-called interim stage. As hon. Members will be well aware, a compromise to that effect was drawn up by Lord Weatherill, his intention being to secure the continued presence of an independent element in the interim House of Lords.

I do not support the hereditary principle. It is time that Labour Members acknowledged that Conservative Members do not seek to amend the Bill to uphold the hereditary rights of peers. We do not: we seek to amend the Bill to uphold democracy itself. For democracy to work, it is essential that Parliament is strong. It is the role of both Houses of Parliament to hold the Government to account. This Government are not concerned about upholding democracy; they are interested only in their own party political advantage and in increasing the power of the Executive by decreasing the power of Parliament.

While appearing to argue that they are acting in the name of democracy, the Government are in fact doing the opposite. Their argument is nothing less than a disgraceful sham. They want to appear to strengthen the democratic process, but the real effect of their proposals to reform the House of Lords will be considerably to weaken our democracy. Removing all independence from the second Chamber will undermine its validity, which will, in turn, weaken its ability to challenge the Government.

Mr. Gerald Bermingham (St. Helens, South): If there is an upper House composed partly of Labour appointees, partly of Conservative appointees and partly of an independent chunk appointed by either party or by other parties, how will the retention of 91 hereditary peers—who will doubtless be mainly Conservative—weaken the democracy of the place? I should have thought that it would enhance it.

8.30 pm

Mrs. Laing: I am talking not about the democracy of the House of Lords, but about the democratic process as a whole. Parliament defends democracy, and it is supposed to hold the Government to account. To do so, both Houses of Parliament must be able to play their own roles in holding the Executive to account. That is why it is important to consider reform of the House of Lords in the context of constitutional reform in general and how Parliament works.

It is all too often forgotten—the hon. Member for St. Helens, South (Mr. Bermingham) seems to have forgotten it—that Parliament acts as one entity. I do not suggest that having a seat by appointment or because of who one's father was is democratic in any way. If the second Chamber—whatever form it takes—is strong, the democratic process itself will work better. If it is weak, the democratic process is weakened with it. That idea lies at the heart of what we are discussing.

The Leader of the House would like to appear as the champion of the old socialist ideal, as a revolutionary attacking wealth and privilege. I should be happy to give way to her if she wishes to tell me that I am wrong. The glee with which she announced the clause abolishing the rights of hereditary peers was almost vindictive.

Mr. Letwin: Does my hon. Friend agree that one of the most remarkable things said by any Leader of the House at any time was the present Leader's remark that nothing could be worse than the existing Chamber?

Mrs. Laing: I agree, of course, with my hon. Friend. The Leader of the House also remarked that the Bill was simple, and that remark, too, was totally wrong. The Bill is simple only in the sense that it addresses only part of the issue. It is up to the Opposition to address the whole issue.

The Leader of the House approached the Bill with a certain vindictive pleasure. None the less, I do not challenge the Government's right to take away the voting rights of hereditary peers. Nor do I challenge the principle of doing so; in fact, I agree with it. However, I must challenge the Government's lack of honesty about what they are doing. The Government's plan, as stated in the Bill, is to have, for an indefinite period which could be years, decades or even longer, a second Chamber composed entirely of people who have been appointed and who, therefore, will owe allegiance to those who appointed them.

Amendment No. 2 would include in the interim second Chamber a number of hereditary peers elected by the Members of the House of Lords. Such a system would strengthen the interim House because it would keep within it the element of independence while adding to the legitimacy of the hereditary peers who would remain because their tenure would depend on a double condition: first, their birth and, secondly, their election by the Members of their own House. I am not claiming that that would create a perfect situation, but it is a much better solution than that proposed in the Bill.

There are as many differing points of view about the eventual composition of the second Chamber as there are people expressing them; but almost no one is arguing in the long term for a second Chamber that is entirely appointed, so why on earth should we settle for an entirely appointed interim Chamber? The Government could do—indeed, are likely to do and, I would argue, certainly will do—an awful lot of harm to our country while only the interim second Chamber, which we are now discussing, is in place to hold them to account.

Mr. Phil Willis (Harrogate and Knaresborough): Does the hon. Lady accept that it was Lord Cranborne who suggested the idea? Is she distancing herself and the rest of the Tory party from Lord Cranborne's idea?

Mrs. Laing: No, far from it. I believe that my colleagues whose names are attached to the amendment and I have the support of the vast majority of the Tory party in this House, in another place and across the country. However, it remains to be seen what will happen if there is a vote.

My point it that there is no reason why we should settle for an interim Chamber that is entirely appointed, when no one wants a long-term Chamber that is entirely appointed. We may have that interim Chamber for a very long time, during which the new Labour Government could do an awful lot of harm, given that only the interim Chamber, as the other half of this Parliament, would be holding the Government to account. It is our duty to make sure that the composition of the interim House makes that House as strong and effective as possible. That is why I am asking hon. Members to support the amendment.

Of course, if the Government had had their way, we would not even be able to discuss the substance of the amendment.

Mr. Swayne: Shame, shame.

Mrs. Laing: My hon. Friend is absolutely right. If the Government were honest in their approach to the Bill, and if they were dealing with the Committee straightforwardly, the substance of amendment No. 2 would appear in the Bill, as it should. I appreciate that not every hon. Member will agree with my arguments in favour of the amendment, and that is fair enough. Of course, Labour Members will have a different point of view, but surely there can be no hon. Member who does not believe that we, as the elected representatives of the people, should be discussing this matter. It is not only the right but the duty of the House of Commons to scrutinise the proposal. Had my hon. Friends and I not tabled the amendment, the matter that we are about to discuss would not have come before a Committee of the whole House. We are not alone in that opinion.

[Mrs. Laing]

Charter 88, which campaigns for democracy, said in its recent brief:

> "The House of Commons is being asked to scrutinise a Bill which every MP knows will come back from the Lords with a substantial amendment. The Commons will only have limited opportunity to debate the Bill in its final form."

That is right, except that the tabling of amendment No. 2 has given us the opportunity to scrutinise this part of the Bill this evening.

It would be preposterous if such an important part of the Bill were never scrutinised in Committee by this elected House of Commons. Every week provides more evidence of the Government's attempt to take power away from the House of Commons, and so from the people who elected us, and to give more power to the Executive. That is the Bill's underlying intention and it explains why the Government do not want to allow us to discuss the matter.

Dr. Fox: Does my hon. Friend agree that it is not preposterous, but perverse, for the Government to ask Labour Members to reject the amendment in the Chamber that they claim has democratic legitimacy and to tell their supporters to accept it in another place, which they claim has no democratic legitimacy?

Mrs. Laing: It is preposterous, perverse and a string of other things that you would stop me saying if I tried, Mr. Lord. As my hon. Friend said, it is anti-democratic. I have never seen a more blatant disregard for the House of Commons than that which the Government have shown in relation to this amendment.

Paragraph 11 of chapter 5 of the White Paper "Modernising Parliament—Reforming the House of Lords" states:

> "the Government will act immediately to end the hereditary right to be a member of Parliament . . . But if the cross-bench peers promote an amendment for the interim retention of 1 in 10 of the hereditary peers, 75 out of the existing 750, plus some hereditary office holders, until the second stage of House of Lords reform has taken place, the Government is minded to accept that amendment".

Likewise, introducing the White Paper, the Leader of the House said that if there were such an amendment when the Bill was considered in the House of Lords

> "the Government are minded to support such an amendment".—[*Official Report*, 20 January 1999; Vol. 323, c. 909.]

The effect of this amendment is precisely the same, so can I look forward to the Leader of the House signalling the Government's intention of accepting it now?

Mr. Peter Bottomley (Worthing, West): She will not look at you.

Mrs. Laing: As my hon. Friend says, the right hon. Lady will not look at me; she merely listens. She has every opportunity to signal her Government's intention of accepting the amendment now; she said only two weeks ago in this House that they had every intention of doing so. Will she answer my point? No, she will not.

Mrs. Beckett: I do not know why the hon. Lady is wasting the Committee's time with this nonsense. She knows perfectly well what the Government's position is, because I set it out on Second Reading and I shall set it out again when I reply to this amendment.

Mrs. Laing: How dare the right hon. Lady say that I am wasting my time or anyone else's in discussing this vital amendment? I am not wasting the Committee's time. She is wasting it and treating the House of Commons and Parliament with contempt with that answer. I do not know the Government's position, because she has never made it clear.

Dr. Starkey: Will the hon. Lady give way?

Mrs. Laing: I shall give way to the hon. Lady later.

It is no surprise that the Leader of the House refuses to take my point. Having said what she said on 20 January, on 1 February in the debate on Second Reading, in reply to questions on this subject from the right hon. Member for Chesterfield (Mr. Benn) and my hon. Friend the Member for South Staffordshire (Sir P. Cormack), she said:

> "If an amendment is moved in this place, I shall advise my right hon. and hon. Friends to vote against it".—[*Official Report*, 1 February 1999; Vol. 324, c. 610.]

The right hon. Lady said a moment ago that I know the Government's position. How can I possibly know the Government's position? How can anyone in this House, or anywhere else, know the Government's position, given that, on 20 January, she said clearly, and on the record, that the Government have every intention of accepting the amendment, but, on 1 February, she said that she would advise her right hon. and hon. Friends to vote against any such amendment? How can she possibly expect anyone to know the Government's position?

8.45 pm

This is a vital constitutional Bill; it is not some little measure which does not matter very much. The Leader of the House still sits, reading her notes, not paying the least attention, after saying, with utter smugness, that we know the Government's position. We do not. Her position, and the way in which she explains what the Government intend to do, may be clever, but it is not consistent and, frankly, it is not honest. But, then, the Government's whole approach to the Bill has been all about expediency, and nothing whatever to do with principle.

During previous speeches on the matter, the Leader of the House explained the relevance of this apparent duplicity to the working of the Parliament Acts, but the purpose of the Parliament Acts has never been to stop this House debating a fundamental change to our constitution; nor has it been to stop Members of Parliament scrutinising a vital part of a Bill. We have the opportunity to do so now only because my hon. Friends and I brought the matter before the Committee. The Government do not want it to be discussed.

It should not be up to me and my hon. Friends to table an amendment of such fundamental effect to a Bill as important as this. We are but humble Opposition Back Benchers, but we know that we were sent here by the people who elected us to represent their interests and to stand up for the democratic process. This Bill is the most significant piece of constitutional reform for well over a century.

Unusually, I find myself in agreement with the right hon. Member for Chesterfield—not once, but twice, this sitting. First, he pointed out that, during an earlier debate on constitutional reform, Mr. Asquith said that, if women got the vote, it would undermine parliamentary democracy. The right hon. Gentleman said that Mr. Asquith was wrong, and I am very happy to agree with him. Secondly, he said—I think that I noted his words correctly—that Opposition Members should not try to persuade the Committee that hereditary peers are the final safeguard of democracy. In speaking to this amendment, I certainly do not try to persuade hon. Members of any such thing. It is we, the elected Members of the House of Commons, who have a duty to safeguard democracy.

The Government have acted with almost unbelievable arrogance in trying to prevent us from debating this vital amendment to this extremely important constitutional Bill. I hope that all hon. Members with a conscience, who believe in democracy, will stand up against the Government's arrogance and attempt to pervert the democratic process itself by joining my hon. Friends and me in supporting the amendment.

Mr. Tony Benn (Chesterfield): I shall vote against the amendment tonight and I shall vote against it when it comes back from the House of Lords. I hope that my hon. Friends have the guts to stick by the Whips' first instructions and not reverse their vote on the second instructions.

As we are discussing an hereditary issue, I want to consider the parentage of the amendment moved by the hon. Member for Epping Forest (Mrs. Laing), who spoke with great passion. When I heard her speak, I knew even more that Asquith was wrong. An Opposition Back-Bench Member has made a Government statement. The parentage of the Bill is a strange one: Baroness Jay and Lord Cranborne. They are not even married, but they have produced a proposal—with the support of Jack Weatherill, the former Speaker—and we are told to oppose it now and come back to it later. That is not acceptable. The Leader of the House will discover from these debates that the House of Commons is waking up to its responsibilities and is not prepared just to be told to go through the hoops.

I am absolutely opposed to the hon. Lady's amendment. I shall tell the House what will happen if it goes through. The Government are very clever; they have all sorts of people advising them. The amendment will be defeated tonight. It will go to the Lords, and they will have to make up their mind whether to lose everything under the Parliament Act or to go along with the Cranborne compromise. They will probably go along with it. Then, the Government will be faced with a situation absolutely contrary to our manifesto, whereby 91 hereditary peers will turn up—not with constituencies like Epping Forest, but with a couple of dukes, two marquesses and the odd viscount who wanted them to stay. How will those 91 peers be allowed to stay? They will be allowed to stay by the Prime Minister making those unelected, unaccountable hereditary peers into life peers. He is going to bless them retrospectively.

Not only that, the Government have the problem of five hereditary peers of the first generation. There is poor old Willie Whitelaw. I had a letter from the Leader of the House—it cannot be a secret that he will be offered a life peerage. Then there is David Eccles—I do not know whether anyone remembers him, but I sat in the House with him. He is to be made a life peer.

The position is astonishing. If the amendment goes through—I hope that it will not—the first example of modernisation for the millennium will be the Prime Minister making 91 hereditary peers into life peers and then, because they will mainly be Tory, he will make 91 more Labour life peers. In the book of Genesis, the Almighty just made Adam and Eve. This is creation on a scale for which there is no parallel in religious or constitutional history. I urge my hon. Friends to obey the Whip tonight. The Whip is absolutely right. However, when they are told to turn tail later, they must not endorse the scheme that will run counter to the manifesto on which we were elected.

We are not discussing alternatives, but I have a very simple idea. It is old fashioned—old Labour. If someone is in Parliament, he or she should be elected. I do not want to say anything controversial, as I might get into trouble, but I was brought up to believe that democracy meant that we elected people and could get rid of them. I am not going along with the Weatherill amendment, and I am not going along with the amendment tonight, but that is for another debate. Tonight we certainly ought not to accept what the hon. Lady put forward with such passion, even though her arguments had a certain charm and compulsion about them, which I shall long remember.

Mr. John MacGregor (South Norfolk): I warmly congratulate my hon. Friend the Member for Epping Forest (Mrs. Laing) on the way in which she moved the amendment. Her arguments were splendid, and the spirit and passion with which she advanced them were entirely commendable.

I shall make two points in support of what my hon. Friend said, but first I shall make my position clear. I do not defend the hereditary principle either, and never have done. The real problem, as we are discovering and as has been discovered in the past, is what to put in its place.

My first point concerns the attitude of the Government and the Leader of the House. I find her position astonishing, hypocritical and intolerable. I should think that many Labour Back Benchers feel the same. The White Paper is full of phrases about the primacy and supremacy of this Chamber, yet what are the Government proposing to do? They will leave it to the other Chamber to carry through something which, in the same White Paper, they say they would be minded to accept. Frankly, that is treating this House with contempt.

If it were not for my hon. Friends who tabled the amendment, we would not even have debated such a vital issue in the Chamber before the Bill went to the House of Lords. No doubt, when it came back with an amendment that the Government were prepared to accept, we would have had a very limited debate. It is much, much better that it is debated here in the Chamber, where it should be debated.

I shall be interested to hear what the Labour Back Benchers who are present will say in defence of the principle. The right hon. Member for Chesterfield (Mr. Benn) is entirely consistent in his arguments. He will vote against any such amendment both times. However, the Government have indicated that they are in favour of the amendment, but will accept it only if it is

[Mr. John MacGregor]

first put into the Bill in another place. We all know why that is so. It is because the Leader of the House is trying bully-girl tactics, if I may say so, to get the Bill through the other place by allowing the amendment as a concession. That is an astonishing way to treat Labour Back Benchers. They are forced through the Lobby tonight to vote against the amendment but, in the other place, which is regarded as secondary from their point of view in terms of Parliament, the Government will turn round and accept the amendment when it is proposed.

I do not understand why the Leader of the House cannot say from the Dispatch Box, "We shall accept the amendment." The Government may have the odd technical objection to it, but that is not the point. The point is that the spirit and principle of the amendment should be accepted tonight. I cannot understand any reason for not accepting the amendment other than that the right hon. Lady wants to apply a certain amount of pressure on the other place to take the Bill through quickly. That is simply intolerable.

Mr. Winnick: Is it not interesting that the amendment comes from the Opposition Back Benches and not from the Opposition Front Bench? We know about the row that resulted in Lord Cranborne being sacked. I am entirely opposed to a totally elected second Chamber—we shall come to that argument in due course—but in this instance we are dealing with an Opposition Back-Bench amendment.

Mr. MacGregor: I am sure that my colleagues on the Opposition Front Bench will make the Opposition's position on the amendment perfectly clear. However, I am delighted that the amendment was proposed by my hon. Friend the Member for Epping Forest, because it could not have been better put. I think that all her arguments were superbly well advanced.

I seriously think that the Leader of the House is in an astonishing position and one that she will come to regret. The right hon. Lady has treated the Chamber with contempt.

My other point was simply—

Mrs. Beckett: I am grateful to the right hon. Gentleman for giving way. I know that he is making a series of party points, and that is perfectly legitimate. We do that in the House. However, he has thrown about, with great casualness, accusations of my despising the House and things of that sort. He is surely aware that the proposal put forward by the hon. Member for Epping Forest (Mrs. Laing) is one that she is advancing and one which the House can debate. It is a proposal that may be put in another place by Cross-Bench peers. It is not the Government's proposal, so why should the Government put it forward?

Mr. MacGregor: I am not making party points. I am making a point about the House of Commons, and I shall explain why. The right hon. Lady has made it clear in the White Paper that if such an amendment comes forward in another place the Government will be disposed to accept it. The amendment is before us this evening, so why is she not disposed to accept it—yet if Cross-Bench peers in another place put it forward, she will? It is not that the proposal has changed in any way. It has not. It is a proposal that is identical to the one that we shall expect to come from the other place. The right hon. Lady knows that. She knows also that she will not accept the amendment when it is proposed in the House of Commons, but will accept it when it comes from another place—which is apparently, in the Government's view, secondary in importance to the House of Commons.

Mr. Malcolm Savidge (Aberdeen, North): The right hon. Gentleman has told us that it is intolerable, astonishing and hypocritical to reject the Weatherill proposal in the House of Commons but to accept it in the House of Lords. I take it that he is describing his right hon. Friend the Leader of the Opposition on the day when he sacked Lord Cranborne.

Mr. MacGregor: I am describing precisely the Government's position on this issue. I would expect all of my right hon. and hon. Friends to support the amendment this evening. I am describing the Government's position, and that is why I find the right hon. Lady's position astonishing. It is astonishing for her to ask Labour Back-Bench Members to vote against the proposal when it is put forward in the House of Commons, but to accept it if it comes from another place.

It is not only that—and this is the answer to the right hon. Lady. She has signalled in advance what she would do in the other place. There is no question of the arguments being different or of her changing her mind. The arguments will be acceptable only if they come from the other place and not from the House of Commons.

Mr. Dalyell: The right hon. Gentleman will forgive me if I say that, from our point of view, when we were on the Opposition Benches he was one of the most satisfactory and kind Leaders of the House with whom we ever had to deal. I ask him, therefore, what would he do if he were Leader of the House at this point. I am just curious to know.

Mr. MacGregor: I think that it must be fairly obvious what I would do. I would certainly not produce a White Paper in which I had more or less made it clear that I was minded to accept an amendment, but only if it came from the other place, and then stand at the Dispatch Box refusing to accept such an amendment because it had been tabled in this House. I simply cannot imagine myself ever being in that position, which is why I feel so strongly that the Leader of the House is in a very odd position indeed.

Mr. Letwinr: Does my right hon. Friend agree that an even more extraordinary fact is that the Government appear to think that the proposal would be good for the constitution if their lordships had behaved themselves, but is bad for the constitution if their lordships are not behaving themselves?

Mr. MacGregor: That is why I said that the position of the Leader of the House is hypocritical. It has nothing to do with the merits of the argument, but is purely to do with what I described as bully-girl tactics applied to the other place. That is the reason for her holding such a position tonight: it has nothing to do with the merits or the principle, or the acceptance or otherwise, of the amendment, but is simply to do with tactics. That is clearly bare faced.

Mr. Savidge: Will the right hon. Gentleman give way?

Mr. MacGregor: In a moment. I should have thanked the hon. Member for Linlithgow (Mr. Dalyell) very much for his kind remarks about my tenure in the post that we are discussing.

Mr. Savidge: Might the right hon. Gentleman accept the possibility that, rather than there being bully-boy tactics from this House, we are resisting the possibility of bully-boy tactics in the other House?

Mr. MacGregor: The Government must be in a weak position if they think that they would not be able to get the Bill through the other House unless they applied pure bully-boy tactics.

My second point relates to the substance of the proposal. I entirely agree with my hon. Friend the Member for Epping Forest, who made it clear that many different views and solutions had been suggested during consideration of the alternatives for reform of the House of Lords. That was also made clear in the debate on Second Reading, which I was able to attend only spasmodically.

My hon. Friend was also right to say that the one solution that no one seemed to favour was an entirely appointed second Chamber, which is what we would have if the amendment were not passed. Having been in the same position as the Leader of the House, and having had to get legislation through the House, my fear is similar to many others that have been expressed: this solution will not be short-term and interim, but it will last for some considerable time.

I disagree with the right hon. Member for Chesterfield on that point. If the situation is not purely interim but longer term—I will come on to that point in a moment—it will not be satisfactory to have a solution in which patronage is concentrated so heavily in the hands of the Prime Minister, or even with the appointments commissioner. We would have no further independent element, so the proposal makes some sense if we are to have an interim House of Lords for some considerable time.

I use the words "some considerable time" because there have been considerable delays with a number of the Government's proposals or in areas on which they want to move. I will not stray out of order, Mr. Lord, because I am giving an example of why the amendment is necessary. The Neill committee, of which I am a member, has introduced proposals on party political funding which have widespread support in the House and which it ought to be possible to take through fairly quickly. We will produce a draft Bill and proposals may be introduced next year.

One could give many other examples of delays, but the reasons for delays with the second Bill, which will deal with full reform of the House of Lords, are likely to be much more formidable. There must be some doubt whether the royal commission can meet the deadline of the end of this year, because many different proposals will have to be argued through.

The Joint Committee of both Houses could take up a considerable amount of time. If the general election is to be brought forward to a year before the end of the full five-year term, as is hinted in some of the newspapers, it is unlikely that we will be able to deal with the second, highly controversial Bill—about which there will be much more argument in this Chamber and in the other Chamber—because there will be many different views about parts of it. It seems very likely that we shall not have the second stage by the end of this Parliament. There is a good reason of substance for supporting the amendment because it would mean that, in the interim—which could be some years—we would have a much more satisfactory second Chamber than we would under the Government's proposals.

I should have thought that the Leader of the House would accept those arguments. For those two reasons, I strongly support the amendment.

Dr. Tony Wright (Cannock Chase): It is difficult to take entirely seriously some of the voices coming from the Opposition Benches, which accuse the Government of contempt and arrogance. It is difficult to understand how the Government could have proceeded in a more conciliatory and bipartisan way. They have relinquished patronage powers to the Appointments Commission; they have said that they will entertain a Cross-Bench proposal to retain a large number of hereditary peers chosen for the transitional duration; and they have established a royal commission chaired by a peer belonging to the Opposition. For a Government who have done all that to be accused of arrogance and contempt is extraordinary.

Mr. Tyrie: Does the hon. Gentleman think that it was ever part of the Labour Government's original plan to have a royal commission? Is there anything conciliatory about deciding to go ahead with such a fundamental reform with no prior all-party consultation, as has always taken place in the past when fundamental reform of the Lords has been considered?

Dr. Wright: The hon. Gentleman gets into territory that he would be well advised not to get into. When the facts of the case are eventually written, he will see that, had the Government been able to secure agreement from the Opposition, they were minded to proceed on a consensual basis. As is well known, there were conversations afoot in the other place designed to bring that about. Unfortunately—I am afraid that the problem lay more in the Commons than with the Opposition in the end—it proved impossible to do that. We could have been considering a joint proposal on an agreed basis, but the Opposition decided to proceed differently, and that is a source of great regret.

If anything is true of this measure, after all this time and all its history, it is that we should have been able to bring about reform of the second Chamber on a reasonably agreed basis. We can argue about all sorts of things, and many complex details can be considered but, in view of everything that we know about the failure of past reforms, to be unable to proceed in a sensible, bipartisan way in the last year of this century is a most extraordinary position to be in. It is a source of great regret that those discussions did not bear fruit.

Had the Government taken what someone earlier called the "big bang approach" and said, "This is what we have decided to do: sweep away the hereditaries and install a

[Dr. Wright]

new second Chamber," the charges of contempt and arrogance would have had some substance. However, given that they are proceeding in an immensely bipartisan way—to many of my colleagues it is over-generous—it is extraordinary to be confronted with those charges.

Mr. Gale: If the hon. Gentleman consults the *Official Report*—he is not using notes—he will discover that a few moments ago he said that the Government had generously agreed to accept a Cross-Bench amendment. That amendment is precisely what we are discussing now. Will the hon. Gentleman vote for it tonight or will he do as his Whips want and vote against it? If so, he will be as two-faced as the rest of his colleagues. Labour Members will then wait for the amendment to come back to this House and vote for it. This is the amendment which he says the Government have graciously accepted.

Dr. Wright: Having paid close attention to the conversations that have taken place over the past few months, I concluded that the Conservative Opposition in the House of Commons had disqualified themselves from making any constructive contribution to the debate, and that, if we were to secure a constructive contribution—albeit at a late stage—from Cross-Bench peers, we ought to consider that very carefully. That is what the Government have said they will do.

Mr. Tyrie: Will the hon. Gentleman give way?

Dr. Wright: I should like to make some progress, but I will give way once more.

Mr. Tyrie: Does the hon. Gentleman not realise that all-party consultation should not involve deals made below stairs or in smoke-filled rooms? At the beginning of a Parliament, the Government should announce that they want to act on the basis of all-party consultation. They should announce a public debate, a public inquiry and a royal commission—if they want one—that will also be public. That is what has always happened in the past. It happened in 1918, in 1948 and in 1968. Why did the Government not do the same on this occasion?

Dr. Wright: The hon. Gentleman is most ill-advised to keep reminding us of the history. Less than two years ago, his party fought a general election defending the rights of hereditary peers and opposing reform of the second Chamber. The right hon. Member for South Norfolk (Mr. MacGregor), alluding quite properly to the issue of party funding, failed to mention that, when in government, his party refused to refer the whole issue of party funding to the Committee on Standards in Public Life. There is a history to all this, and I am afraid that, when it comes to be written, the Conservative party in the House of Commons will not come out of it very well.

We know that there is to be a transitional period. Whichever way we play it, the transitional House of Lords is a complex beast. I once spent a long time talking to Marxists, who used to talk constantly about the "problems of the transition"; but the "problems of the transition" are nothing in comparison with the problems of moving from the existing House of Lords to a future House. It is likely to be a protracted and messy business. Even when we have removed the hereditary peers, we shall have about 500 life peers.

Mr. Geoffrey Clifton-Brown (Cotswold): Will the hon. Gentleman give way?

Dr. Wright: I must get on.

We are now talking about adding nearly 100 more hereditary peers, to be elected by their own peers. We are talking about a Chamber consisting of 600 Members in the transitional period. Anyone looking at a mature, fully formed new House of Lords will know that it will contain only about 300 Members. We shall therefore experience considerable problems in moving from an interim reformed House to a fully fledged new House.

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Dr. Wright: I will give way once more.

Mr. Clifton-Brown: Does the hon. Gentleman—who is a constitutional expert—agree with a Weatherill-type amendment to allow a certain number of hereditary peers to continue to serve in the transitional Parliament? Yes or no?

Dr. Wright: I shall be minded to support such an amendment when it comes here from the other place.

Sir Patrick Cormack: Will the hon. Gentleman give way?

Dr. Wright: There is no need to become too agitated. I shall make a few more points, and then sit down.

The Government have said that they are minded to accept such an amendment if it comes from the other place. They do not have to do that, and many of my hon. Friends would prefer that they did not. They would like a clean sweep: they would like the job to be done in one go. I think that this is an act of extraordinary generosity—

Sir Patrick Cormack: Will the hon. Gentleman give way?

Dr. Wright: Of course.

Sir Patrick Cormack: I am extremely grateful.

Is this a good idea, or is it not? If it is a good idea, why does the hon. Gentleman not support it now? If it is a bad idea, why does he not remain resolutely opposed to it, whatever its source? Can he not give a coherent answer to a simple question?

Dr. Wright: I have already explained—I am sorry if I must embarrass the hon. Gentleman by explaining again—why I think that the Conservative Opposition have disqualified themselves from making a constructive contribution to the argument. History will testify to that.

I did not start out by believing that I wanted a transitional stage involving the retention of a certain number of hereditary peers; but, if the real problems of the transition would be eased by our allowing a certain number of hereditary peers to continue for a period, and if that will allow this measure to proceed in a constructive and bipartisan way, I would support it. Moreover, I would urge the hon. Gentleman to follow the same course.

9.15 pm

Mr. Tony McWalter (Hemel Hempstead): Will my hon. Friend confirm that one of the Government's clear strategies is to ensure that we prevent 668 people, nearly all of whom never attend the House of Lords, from being able to legislate for the rest of the country? If, as a result of the Government's moves, we achieve that in quick time—within a year—that is an important part of the process that we are undergoing.

Dr. Wright: I agree. As the Opposition provoke me a little, I say that we have to remind ourselves that we are still dealing with an outrage. We are dealing not with an anachronism, or a bit of tidying up in which we have to engage, but a constitutional and democratic outrage.

Sir Nicholas Lyell: Will the hon. Gentleman give way?

Dr. Wright: I will not give way again.

I do not want to detain the Committee with things that I did not want to explore, but the fact is that we are dealing with hereditary peers who, as we heard—

Sir Nicholas Lyell: Will the hon. Gentleman give way?

Dr. Wright: I just said that I was not going to give way.

Never did we have a better exposition of what has sometimes been called the good chaps theory of government than in the speech of the hon. Member for South Staffordshire (Sir P. Cormack). Those people are good chaps and chapesses, but the point is that they are contaminated by their ancestry and will never escape from that contamination, good chaps though they might be. I call in aid only the first study on the purchase of peerages. It turned on correspondence between the Conservative leader of the time, Lord Salisbury, and the then Conservative Chief Whip, Akers-Douglas. A footnote in that little study says simply:

> "At the request of the Marquess of Salisbury I have suppressed the details of a number of transactions in which political services were bartered for honours, lest their revelation should prove offensive to the surviving children of those concerned."

When we have such discussions, we think that we are engaged in just a little tidying up, but we are not. What is extraordinary is that we are having this discussion not in the first year of the century, but in the last, and that we still hear that type of arguments expressed by Conservative Members about why we should not do what any democratic society knows has to be done and should have been done. The question is only whether we can do it in a reasonably civilised, consensual and bipartisan way. That is the Government's approach.

Without digressing, let me say that there are legitimate arguments about the shape of a reformed Chamber. I say to those who simply advance their nostrums as we go through the debate: reflect on the fact that we now have a royal commission and a chance to test some of those arguments.

Some people say, "The second Chamber has to be elected." We have to avoid two evils. One is to create a rival for the House of Commons, but the other to is create a clone of the House of Commons. If, through election and a whipped, rigid party-list system, we created a second Chamber on good democratic principles that was simply a clone of the House of Commons, it would be proper to ask whether we had strengthened the checks and balances in our political system or weakened them.

We are at a moment when we are required to have some serious constitutional imagination. Let us put our nostrums to one side. Let us have a year or more of serious investigation, debate and argument, but, meanwhile, ensure that we establish a transitional House that can function and have a certain amount of legitimacy and confidence. The only proviso that I add—it is the point of the amendment that stands in my name—is that we must not have a transitional House that becomes permanent. We must not invent a system in which a certain number of hereditary peers not only stay for a time—which is necessary to ease the transition—but subsequently become permanent. We have to build the Bill around that constraining framework.

It is quite right—although it is a rather unusual procedure—for the Government to ask us to approve a Bill to which an amendment will be tabled in the other place that the Government will be minded to support. We know that that will happen.

Mr. Grieve: Will the hon. Gentleman give way on that very point?

Dr. Wright: No; I am almost finished.

It is quite proper that the House, when it sends the Bill to another place, should want to say: "We want to build a framework around the Bill, to ensure that the generous transitional provisions that we are making will not become permanent ones." That would be the honest thing to do. It is what the House should do. I hope that it is what we do.

Mr. Maclennan: The hon. Member for Epping Forest (Mrs. Laing), in moving amendment No. 2, was in a sense usurping the position of official Opposition Front Benchers. I make no complaint about that, for she moved her amendment with some passion which commended itself to the Committee. However, it might be thought that an amendment of such importance—if it is to be treated with great seriousness, as it should be—should have been moved by an official Opposition Front Bencher. After the pleas that we have heard today from Conservative Back Benchers for consensus in reform and for cross-party agreement, it would have been appropriate to have had in the Chamber for this debate the Leader of the Opposition.

Let us be quite clear about it: the obstacle to arriving at consensual reform of the upper House has been the Leader of the Opposition and his predecessors as leader of the Conservative party. The right hon. Member for South Norfolk (Mr. MacGregor) knows perfectly well that he served in a Government who set their face rigorously against any reform of the upper House. He knows perfectly well also that the right hon. Member for Huntingdon (Mr. Major) had no intention at any time in his premiership of even entering into serious discussions on the matter.

I regard it as the utmost hypocrisy for Conservative Members to suggest that, either before or since the general election, there was ever the remotest chance of getting

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any agreement from the Conservative party on reform of the upper House. Indeed, on the very day that it became public knowledge that Lord Cranborne had entered into some consultation with the Prime Minister and his colleagues, it was clear that the Leader of the Opposition was completely at odds with his party in the upper House and was seeking to stir up those in another place into outright opposition to the Government's proclaimed intentions for reform of the second Chamber.

Sir Patrick Cormack: That is a travesty of what happened. The Leader of the Opposition said only that he would not be party to a deal that would in any way inhibit proper examination and scrutiny of the Bill. We have always made it quite plain that amendment No. 2 would make a very bad Bill marginally better. For that reason, we shall be happy to support it in the Lobby. However, it was not part of a behind-the-stairs deal. The Leader of the Opposition made that plain, and I am happy to make it plain again now.

Mr. Maclennan: I am absolutely clear about what happened on that occasion. It was quite clear that the Leader of the Opposition was making a very unsuccessful attempt to stir up his colleagues in another place, to treat this measure as a battering ram against the Government's overall programme of constitutional reform and to tie up the upper House in dealing not only with this Bill, but with the rest of its business, thereby stopping proper government and legislation.

Mrs. Dunwoody: The right hon. Gentleman seems to be enunciating an interesting theory. Is he saying that Members of the House of Commons should not, in common with their colleagues in another place—and irrespective of party—have the right to delay the passage of legislation?

Mr. Maclennan: No. The power of delay is a well-understood tool of opposition. However, one cannot pretend to be engaged in the proper scrutiny of legislation while making it plain to colleagues in another place that one is intent on destroying the business of the Government. In particular, one cannot pretend to be embarked on an engagement of consensual politics to reform the constitution. No consent was sought, and none would have been given.

Mr. Tyrie: It would be interesting if the Liberal Democrats, for once, could behave according to their principles. They have a bevy of policy documents that show that they have been in favour of an elected second Chamber for decades. However, they are now acting as if they are part of the Government Front Bench and attacking the Conservative Opposition, who are trying to have a serious discussion of stage 2.

Mr. Maclennan: Unlike the Conservative party in opposition, we engaged in dialogue with the Labour party about the reform of the constitution because we took the view that there should be cross-party agreement. Any suggestion that we made on that subject to members of the Conservative party was treated with total contempt. They were not interested in doing business, and they wanted to continue their partisan view that everything in the constitutional garden was as it should be and should be left alone.

The Liberal Democrats want to get rid of the hereditary peers as part of a move towards a proper, legitimate and democratic second House which exercises real powers over the Executive. The Bill is an important step in that direction. The amendment seeks to pick up on a deal that may be struck in another place, and seeks to embarrass members of the Government by putting them through the hoop of voting against it tonight and perhaps voting for it later. It is a perfectly transparent exercise in party politics and has nothing to do with high-minded principles about consent. It is a squalid little partisan deal.

Mr. Letwin: The right hon. Gentleman is known to take the constitution seriously and has thought about it a lot. Is he genuinely advancing to the Committee the proposition that it is appropriate for the Government to make a major change to the constitution, in terms of the interim House, depending on their lordships' compliance with the Government's programme?

Mr. Maclennan: It is entirely open to this Chamber to participate in the debate on the amendment at a later stage if, in the upper House, it becomes apparent that it is an acceptable proposition that will be agreed consensually as a step on the way to full reform of the upper House. That remains to be seen. Nothing has come from the other place yet—nor could it have done, as the matter has not been debated—that gives us any certainty that the so-called deal will stick. It apparently enjoyed the support of Lord Cranborne and a number of his friends. Evidently, it did not enjoy the support of the Leader of the Opposition, who promptly sacked Lord Cranborne for having agreed to the deal.

It must be said that, whether Lord Cranborne's view of these matters or the view of the Leader of the Opposition, as it may now be, prevails in the upper House is something about which we can only speculate. We have no idea of the Leader of the Opposition's view of the merits of the deal, and that is why I say that the amendment should have been moved from the Opposition Front Bench. We would then have known where he stood. He has been running around like a frightened rabbit throughout the debate. Far from giving the country a lead, he has disappeared to the United States to do business with American Republicans.

9.30 pm

Mrs. Laing: I thank the right hon. Gentleman for giving way and for his kind remarks earlier. Is it not for the Prime Minister to give a lead to the country? If the amendment is going to be accepted and become Government policy, should not the amendment have been tabled by the Government and not by me, as an Opposition Back Bencher?

Mr. Maclennan: It could not have been made clearer that this is not the Government's policy. The matter has been set out in transparent language in the White Paper and the Leader of the House has spelt the position out. The proposal cannot become law without being debated on the Floor of the House. If an amendment is carried in another place, it will come back here for our consideration. Any talk of this Chamber being bypassed is wide of the mark.

As for prejudging what may be decided in another place, I do not know what the attitude will be. It is clear from the White Paper that the Government do not regard the amendment as the best policy. It is an incremental change that would remove approximately nine tenths of the hereditaries. The Government regard it as a step towards the fulfilment of their manifesto commitment to remove all the hereditary peers. It is not a satisfactory step and I should not dream of defending it as such. It is a most unfortunate step back from the manifesto commitment and I hope that it may not commend itself in another place as the way ahead, because it will create many anomalies. Perhaps the best advantage of the amendment for those of us who want a truly legitimate upper House is that the situation will be so patently anomalous that the process of bringing forward stage 2 will be accelerated.

Stage 2 is in the Government's mind. That is not hidden from the public; it is set out in the White Paper. They have made it plain that that is why they have asked the royal commission to report early—by the end of this year. They want to bring the measures for the reform of the upper House before the country before the next election.

Mr. Grieve: I am sure that the right hon. Gentleman is familiar with the Minister's comments on Second Reading that the Government only hoped that proposals might be before this Chamber by the next general election.

Mr. Maclennan: It is not possible at this stage to do more than offer a hope. The Government have generously put the possible shape of the second phase of the reformed House into the hands of a Conservative former Minister, as chairman of the royal commission. I have the greatest respect for him and I am sure that he will do his best, but we cannot do more than hope that his best will be good enough, that the rest of the commission will accept it or that it will produce a consensus around which this Chamber will be prepared to unite.

Those are matters for the future. The amendment has been tabled not to bridge a gulf or to open new lines of communication between the two sides, but to dig deeper trenches. That is an inappropriate way to approach the reform of the upper House. We need to look for common ground and build on it. The Government have signalled that by their willingness to listen to Lord Cranborne's proposal. There is nothing cynical about that approach. It is straightforward and open. For that reason, it should be welcomed.

Dr. Starkey: As I have listened to this debate, I have come to the view that Conservative Members are increasingly losing their grip on reality. We reached the positive nadir—it might be the acme—when the hon. Member for Epping Forest (Mrs. Laing) declared with passion that it was absolutely vital for our constitution that

"the Lord Great Chamberlain and the Earl Marshal shall be members of the House of Lords",

as the amendment says. If that is not losing grip on the reality outside Parliament, I do not know what is.

Mrs. Laing: Let me correct the impression that the hon. Lady has just given. Of course I did not say that that was vital. I said that it was vital that we should have a chance to discuss the amendment. I know what is in the amendment, and it does not help the argument if she and the right hon. Member for Hartlepool (Mr. Mandelson) try to spin it differently from what it actually says.

Dr. Starkey: I have quoted from the amendment, and it is for others to take a view. I want to take the charitable view—that the amendment has some logic behind it and was not tabled simply to play party games. I want to try to dissect that logic.

Through days of listening to Conservative Members on Second Reading and now in Committee, I understand that their argument is that the value of the House of Lords as a revising Chamber resides in its independence and in its representativeness. The latter concept is difficult to sustain, but I will take it as read. The next step of logic is that the hereditary peers are the key contributors to that independence and that representativeness, so the proposed transitional Chamber would be worse than the current Chamber.

Conservative Members argue either that we should stick with the House of Lords as it is or, as in the amendment, that we should have a halfway House between the present arrangements and the transitional Chamber that retains a considerable number, but not all, of those independent and representative hereditary peers. That, as I have divined it, is the logic behind the amendment.

Mr. Swayne: As the hon. Lady describes the amendment, it is clearly remiss in a number of respects and is not very persuasive. Can she tell me, then, whether she will vote for it tonight and whether she will vote for it when it comes back from the Lords?

Dr. Starkey: Let me put the hon. Gentleman out of his misery. I will not vote for it tonight, because I want the House of Lords to be replaced in the first instance by a transitional Chamber, and I hope that, if the Members of the House of Lords are as independent as we have repeatedly been assured by Conservative Members, they will also see the value of the Government's arguments and back us up by going for a transitional Chamber.

If, however, the peers insist on protecting their interests and table another amendment, I and other hon. Members will have to take a pragmatic decision. Frankly, although I would like to go the whole hog, I would prefer, if the choice is between going part way or not at all, to move towards the reform of the House of Lords and go part way. I am astonished that Conservative Members find that such a difficult line to follow, especially when most people outside the Committee would regard it as an intensely sensible and pragmatic way forward.

As I have been so kind as to set out the logic behind the amendment, I will now try to demolish it. The independence argument is clearly ridiculous. The hon. Member for Epping Forest tried on Second Reading to extend the notion even further by saying that peers were made all the more independent by the fact that they were free to change their party allegiance. I have news for the hon. Lady—all Members of this Chamber have the freedom to change their party allegiance. Of course, at the next general election, they would not be selected by the party that originally selected them, but as the hon. Lady knows, at least one Member of this place was

[Dr. Starkey]

elected as a member of one party and is now, very sensibly, sitting as a member of another party. Is he independent or is he now a member of the parliamentary Labour party?

Mrs. Laing: Does the hon. Lady not appreciate the big difference between Members of the House of Lords, who have never given a promise to people who elected them about which party they represent, and Members of the Commons, who go before the electorate as representatives and upholders of the principles of one party or another, and then cross the Floor? There is a difference in duty and in honesty.

Dr. Starkey: Precisely—there is a difference in duty. The hon. Lady has just made my point for me.

The other point about hereditary peers that is always rehearsed is that huge numbers of them are independent, and Conservative peers are somehow included among them. However, most people outside Parliament would understand only Cross-Bench peers to be independent. I concede that there are a considerable number of Cross-Bench peers in the present House of Lords, but the hon. Member for Epping Forest knows perfectly well that at least 23 per cent. of Members of the transitional House will be Cross Benchers. If additional appointments are made, that percentage will be a minimum, not a maximum. Those Cross Benchers will be in the hands of the Appointments Commission, rather than remaining in the hands of the Prime Minister. The hon. Lady's argument that the transitional House will be less independent than the current House is, therefore, entirely fallacious.

The Conservatives appear to be rather recent converts to the notion of preserving the independence of the House of Lords because, even though the previous two Conservative Governments had a considerable majority in the Lords, they obviously did not feel that it was big enough, so they created more Conservative peers than they created Liberal or Labour peers. I shall take no lessons from the hon. Member for Epping Forest and her colleagues about their commitment to independence.

The second part of the Conservatives' logical argument is that the hereditary peers are more representative than other Members of the House of Lords and that removing them would reduce the representative nature of that House. Those arguments have been rehearsed endlessly in the debate, and I shall not repeat the figures, but simply point out that hereditary peers are extraordinarily unrepresentative. They are the most unrepresentative part of the House of Lords. Removing the huge superfluity of people representing the Tory party and land management and farming interests, ipso facto, makes the transitional House more representative. That is not to mention, of course, the hereditary peers' rather large gender imbalance.

I do not want to prolong the debate because it is getting late. I simply reiterate that moving from the House of Lords to a transitional Chamber is an absolutely crucial first step in reforming the Lords and setting up a more democratic structure. It is particularly important that hereditary peers have no part in shaping the final House of Lords, which is why they need to be removed from the transitional Chamber.

Mr. Gale: Earlier, the hon. Member for Hemel Hempstead (Mr. McWalter) said—I paraphrase only slightly—that the debate was about getting rid of 600 deadbeats from the other House. The implication was clearly that the deadbeats are the hereditary peers. A significant number of Members of the other House are relatively inactive for many reasons: some do not live in this country and some are suffering from extreme old age. Some of the elderly Members of the other House are very active, but some are not and most of those are not hereditary peers but life peers. A significant number of hereditary peers play an extremely active role in the life and work of the House of the Lords.

When those men and women are removed from their tasks—and it will be a matter of when, as this measure will be steamrollered through—there will not be enough peers left to do the job and scrutinise the legislation.

Mr. Gordon Prentice (Pendle): Tell them to turn up then.

Mr. Gale: The hon. Gentleman makes a comment from a sedentary position, but his party has complained bitterly that the Government have been defeated on a number of occasions by the upper House. If he looks at the voting record in the upper House, he will find that it is the Labour life peers who have not turned up to vote and who have let his party down. I do not think that he is on very strong ground.

9.45 pm

Mr. Prentice: The Sunday newspapers tell us that the hon. Gentleman's former colleague John Moore, who at one time was a Conservative Secretary of State for Transport, was ennobled in 1992 and has yet to make his maiden speech. How does the hon. Gentleman justify that?

Mr. Gale: The point that the hon. Gentleman has missed is that it is Labour Back Benchers in the other place who have failed to turn up. That is why the Government have been defeated so often in the House of Lords.

Mrs. Beckett: I think that the hon. Gentleman must know—or should know—that he is being extremely unfair, and I shall tell him why. First, even if 100 per cent. of our Members in the House of Lords arrive, the Conservative party need only get out a much smaller percentage of its Members there to defeat us.

Secondly, and most significantly, it is a sad fact that quite a high percentage of our life peers in the House of Lords are in the later stages of their lives, and many are quite frail. We continue to have to try to bring them in, although they are not able to attend as often as they would wish. The reason for that situation is that a succession of Conservative Prime Ministers—especially Lady Thatcher and the right hon. Member for Huntingdon (Mr. Major)—absolutely refused to allow the creation of younger Labour life peers to replace those who died. So the hon. Gentleman is making a very unfair point at the expense of people who show great devotion to the House of Lords.

Mr. Gale: The right hon. Lady knows perfectly well that, according to the simple mathematics of the House of Lords, there are enough able Labour life peers to have carried the Government's business on every occasion. However, she has helped me to make my point, which is that it is not the hereditary peers who do not attend the upper House, but the elderly life peers.

I yield to no one in my respect for some of those elderly people. I worked long and hard over a number of years with one gentleman, the late Lord Houghton of Sowerby, a member of the right hon. Lady's party. He made a major contribution to the upper House until late into his 90s, when he was still introducing legislation, so I will take no lessons from the right hon. Lady on that matter. However, the sums make it clear that, had Labour life peers turned up to vote, they could have carried the Government's business—yet they failed to do so.

Once the hereditary peers are abolished, the work of the upper House during the interim period—that is, for the five, 10, 15, 20 or 50 years that it is in place—will have to be done by people appointed. They will either be Tony's cronies, or they will be created along the lines suggested by Lord Weatherill and set out in the amendment.

What we are discussing tonight is how we are to get from where we are now—which works—to an interim arrangement, which must also work. We are also discussing who will do the job in the interim period. When the time comes to vote on the amendment—later tonight, or tomorrow—I shall support it, not because it is particularly good, but because, in the words that my hon. Friend the Member for South Staffordshire (Sir P. Cormack) used earlier, it makes a bad Bill just a little less bad. On Third Reading, I shall oppose the whole sorry charade.

I asked the hon. Member for Cannock Chase (Dr. Wright) how he was going to vote. Like every other honourable Labour Member, he equivocated, because he knows that the right hon. Member for Chesterfield (Mr. Benn) is right. The Bill is a charade and a farce, but the Government Whips will cow their sheep into the No Lobby to vote against this amendment. The Bill will then go to, and be passed by, the other place; when it comes back here, Labour Members will bleat their way through the Aye Lobby. That is what will happen. It is two-faced, and it is dishonourable. The tactic is fundamentally dishonest.

On amendment No. 18, I want to know who will be put in to fill the gaps that we all agree will have to be filled in the interim upper House. Who will be allowed to speak? Labour Members have voted that working hereditary peers may not even speak, never mind vote.

I intervened earlier on an excellent speech by my hon. Friend the Member for Aldershot (Mr. Howarth), and I referred to Baroness Wharton, the deputy chairman of the all-party animal welfare group and an extremely hard-working Cross-Bench peer. Some Labour Members are members of that all-party group, and they know as well as I do of the work that Baroness Wharton has done in recent years. She worked throughout the summer recess, when others were away, to design a puppy farming Bill that many Labour Members would wish to see pass through the House and through the other place. She worked long and hard, too, to take Lord Houghton's Dangerous Dogs (Amendment) Act 1997 through the House of Lords before it came to the House of Commons.

Baroness Wharton has to earn a living, yet she finds the time to work on legislation in Parliament as a Cross-Bench peer. She will no longer be allowed to speak because Labour Members voted, about two hours ago, to say that she cannot.

Angela Smith: The hon. Gentleman challenged me on this point earlier, and it is a shame that he was not here for the beginning of the debate when he would have heard points made by some of my hon. Friends. He has spoken of the work that Baroness Wharton has done, and my hon. Friends and I—I am vice-chair of the animal welfare group—have made it clear that the Bill to remove the voting rights of hereditary peers is no slur on the character of any work undertaken by hereditary peers. Rather, it is about the legitimacy of those peers to undertake work at all.

Mr. Gale: It is true that I was not here for the early part of the debate because I was engaged in other parliamentary business. However, one of the advantages of televising the Chamber is that we are able to hear speeches in our rooms. I therefore heard much of what was said earlier, and I waited to see how the hon. Member for Basildon (Angela Smith) would vote. Would she allow Baroness Wharton to carry on speaking? She voted no. *[Interruption.]*

I know that it is uncomfortable to hear about real people and the real work that they do in the real House of Lords. However, let me name a couple more real people. The third Viscount Chelmsford, for example, is a hereditary peer, and the director of the European Informatics Market. He plays an important role in the upper House in pressing the cause for the development of information technology, both in and out of Parliament.

The second Baron Renwick is a member of the House of Lords Select Committee on Science and Technology. He is also secretary of the Parliamentary Information Technology committee, and he speaks for the British Dyslexia Association. He, too, is a hereditary peer.

I am glad to see that the Minister of State, Lord Chancellor's Department—the Lord Chancellor's spokesman on earth—has come to the Committee. I wanted to say something to him earlier, and now I have the chance. The Minister knows those two hereditary peers very well. In a former incarnation, he took a particular interest in information technology, and he knows—if no one else on the Labour Benches does—just how great was the role played by those two working hereditary peers in the parliamentary development of information technology. Yet the Minister has voted, and has recommended to his hon. Friends to vote, to ensure that those peers should not be allowed to speak in the other place. If those people, who work for little or no money, other than an attendance allowance, are not going to be allowed to speak, who is?

Is the Labour party going to do the job properly? Is it going to have the guts to do what the right hon. Member for Chesterfield, with whom I agree, would have it do? Is it going to persuade its turkeys in another place to vote for Christmas, to abolish the House of Lords and vote for a wholly elected upper Chamber, or is it going to continue with this charade, which is nothing short of vandalism of our constitution?

Dr. Stephen Ladyman (South Thanet): The hon. Member for North Thanet (Mr. Gale) speaks with

[Dr. Stephen Ladyman]

great passion. He talks about the mathematical possibility of the Labour party occasionally being able to carry the day if it bussed in all its hereditary peers. He completely overlooks the fact that the 3:1 Conservative majority in the other place would mean that the Conservatives could simply bus in more than we could. He forgets that 300 hereditary Conservative peers were bussed in to carry the Maastricht treaty, which he now says is wrong. He forgets that we could not pass legislation against fox hunting in this Parliament because of the hereditary peers, and that is a campaign for which he has fought all his political life.

In the few moments that remain before 10 pm, I want to refer briefly to the comments made by my right hon. Friend the Member for Chesterfield (Mr. Benn). I have been a member of the Labour party for a very long time. In 1987, I attempted to stand for Parliament. I can remember members of the Labour party, who were then very much its leaders and spokespeople, telling us about the policies that Labour was espousing. They included the notion of getting rid of hereditary peerages. I remember being told that the only way we would get that legislation through the House of Lords was by creating 3,000 new Labour peers, that the Conservatives would put every obstacle in our way, and that the House of Lords would not allow itself to be abolished. Now, my right hon. Friend the Member for Chesterfield tells me that the Prime Minister is going to be profligate in creating just 91 in order to succeed in doing what he—for it was he—said could be done only with 3,000.

Mr. Benn: It was not 3,000, but 1,000. The difference is that the 1,000 would have abolished the House of Lords; the Prime Minister's appointments will be for a "transitional" stage, which I believe will last for a generation or more.

Dr. Ladyman: My right hon. Friend and I must agree to differ. Time will tell which of us is right. I believe that the Prime Minister is contemplating the creation of just 91 peers in order to accomplish the abolition of hereditary peerages. I predict that it will be done before this Parliament is out. I am committed to that, as are my right hon. and hon. Friends and our Front-Bench colleagues. It is small compromise that will succeed in getting through legislation that this party never believed it could get through. We have succeeded where others have failed.

Sir Nicholas Lyell: I want to make one point in the minute that remains—*[Interruption.]* In the minute that remains tonight. The big question that I pose to the Leader of the House is whether the Committee is to be allowed the opportunity seriously to consider what form the interim Chamber should take, pending the findings of the royal commission and the subsequent debate; or whether we are to be landed with the 91-peer amendment, which we are not permitted to debate in this place and which the upper Chamber will be permitted to debate only in the event of good behaviour. There is much talk of democracy on the Labour Benches, but we are not being allowed a full-scale democratic debate on this vital issue.

Amendment No.—

It being Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. Kevin Hughes.]*

Committee report progress; to sit again tomorrow.

ACCOMMODATION AND WORKS COMMITTEE

Ordered,

That Mr. Andrew Dismore be discharged from the Accommodation and Works Committee and Mr. Colin Burgon be added to the Committee.—*[Mr. Keith Bradley, on behalf of the Committee of Selection.]*

Multiple Sclerosis

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

10 pm

Mr. Paul Burstow (Sutton and Cheam): I am pleased to initiate this debate on the treatment of multiple sclerosis sufferers. I sought it because I believe that the way in which the national health service cares for MS sufferers is a crucial test of some of the Government's NHS reforms. As things stand, MS sufferers get a poor deal from the NHS and, for want of joined-up policy making, taxpayers' money is being spent on sustaining dependency rather than on promoting independence.

I have not sought this debate simply to raise concerns about the postcode rationing of beta-interferon, although I have some questions on that. I hope that the Minister will give the House, and many thousands of people outside, a sense of the Government's approach and attitude to the treatment of MS. In that context, beta-interferon is only part of the picture. There is also a need to address diagnostic services, rehabilitation and nursing services.

MS is a disease of the central nervous system and the most common disabling disease among young adults. This week alone, 50 people will be diagnosed with it. The symptoms often result in problems with mobility, vision, speech and fatigue, and can cause severe pain. One thing is certain about MS: the unpredictability of how it affects people's quality of life.

Because MS is both degenerative and multi-symptomatic, it requires a co-ordinated, multi-agency approach. The sad fact is that services for MS and MS sufferers are subject to wide geographical variation. The variation in availability of service between one postcode and another was confirmed last year in research by the Association of Quality in Healthcare. It found that few health authorities know how much beta-interferon they are funding or how many patients are eligible for treatment in their areas, and showed that most under-prescribe. Even more disturbingly, it revealed that few health authorities work through specific contracts or have detailed service specifications in respect of MS.

All those findings confirm the anecdotal evidence that many hon. Members will have encountered in their casework and surgeries that services are poorly organised and planned. An open letter from a group of 16 distinguished neurologists published in November stated:

> "We believe that the National Health service has failed to respond adequately to the needs of people with MS and that services to them, with some shining exceptions, are seriously deficient in most parts of the country."

In this short debate I want to cover three issues: prescribing, other services for MS sufferers, and cost-effectiveness, which seems to inform much of the Government's thinking on the issue. Guidance on prescribing beta-interferon was issued by the previous Government to health authorities in 1995. It suggested that it should be prescribed only by neurologists; and that patients should be over 18, have the relapsing-remitting form of the disease, and have had two attacks in the past two years. Finally, patients should be able to walk.

While it is difficult to obtain hard numbers, it is estimated that some 800 people receive beta-interferon. That is about 1.5 per cent. to 2 per cent. of MS sufferers.

As I understand, as many as 10 per cent. of MS sufferers qualify and would benefit from such therapy. Indeed, evidence from trials suggests that treatment with beta-interferon can reduce the number of attacks by up to one third, increase the length of remission and reduce the progression of disability. Beta-interferon is not a cure for MS; nor is it a wonder drug. I acknowledge that it does not necessarily apply to every MS sufferer. However, far too many people who would benefit from it still do not have the opportunity to do so.

Mr. Andrew Lansley (South Cambridgeshire): Is the hon. Gentleman aware that a distinguished clinical neurologist thought it appropriate that my constituent, Mrs. Jacky Boswell, should receive beta-interferon, but Cambridge and Huntingdon health authority denied that treatment purely on the grounds that it is not resourced sufficiently to do so?

Mr. Burstow: The hon. Gentleman has drawn attention to a problem that a number of hon. Members encounter. Constituency casework tells us that there are people for whom neurologists have recommended the prescription of the drug for whom—through no fault of their own or of their neurologist, and purely by dint of the fact that the local health service does not have sufficient resources—treatment cannot be provided. As a consequence, as I shall describe later, other parts of the welfare state wind up picking up the cost, and informal carers share the burden.

Prescribing patterns suggest that financial, not clinical, considerations are denying neurologists the freedom to prescribe, as the hon. Member for South Cambridgeshire (Mr. Lansley) rightly suggested. With the recent European licensing of beta-interferon to treat the more severe secondary progressive form of the disease, the need for clarity and direction from the Government is more urgent than ever. As Stephen Thornton, the chief executive of the NHS Confederation, said,

> "To avoid the charge of postcode prescribing, we need urgent Government clarification."

We need Government clarification not just of current prescribing for relapsing-remitting MS, but of future prescribing policy.

A series of statements and so on by Ministers has begun to call into question the efficacy of beta-interferon. Indeed, in November, the then Minister of State, the right hon. Member for Darlington (Mr. Milburn), said that the Department would be

> "commissioning new research into the appropriate usage of beta-interferon, and we will be issuing new guidelines before too long to ensure greater national consistency in the uptake of the drug."—[*Official Report*, 10 November 1998; Vol. 319, c. 132.]

I am sure that hon. Members on both sides of the House would welcome that, and hope that that guidance is on its way. In a subsequent written answer in response to a question that I tabled, however, the Minister said that there are still many unanswered questions about the drug's appropriate use.

In a letter to the hon. Member for North-East Derbyshire (Mr. Barnes) in January, which I am grateful

[Mr. Burstow]

to have had the opportunity to see, the present Minister of State said:

> "There are still continuing doubts over the clinical and cost-effectiveness of the drug arising from soundly based clinical trials. Proposals for a national clinical trial into Beta-interferon are at an advanced stage, and a final decision will shortly be taken".

Those statements raise some questions. I hope that the Minister can give some answers.

When will the new guidelines be issued, especially for the secondary progressive condition? Will beta-interferon continue to be available, albeit under the unsatisfactory regime, outside the rules of the proposed national trial? How long will the national trial last before new guidelines are published, in order that there may be greater consistency, which the Minister promised at the Dispatch Box only in November?

Secondly, as well as mapping the patchwork nature of prescribing, the Association of Quality in Healthcare study found inadequate planning, lack of consultation and poor management information—indeed, 46 per cent. of health authorities do not appear to contract for MS diagnostic, treatment or rehabilitation services. It is little more than a lottery whether a patient sees a neurologist who has specialist knowledge to deal with MS. That lack of planning cries out for a national service framework. Will the new National Institute for Clinical Excellence be given an early task: to consider MS services in the round—not just prescription—so that MS sufferers can be certain that they will receive a good standard of service no matter where they live?

The third issue is cost-effectiveness, which Ministers have often raised in their answers. Most assessments of the cost-effectiveness of beta-interferon examine only the health-related costs, but such a narrow approach overlooks the social care, social security and other costs that arise. Indeed, a study published in the pharmacoeconomics journal found that the bulk of the costs of managing MS in this country were borne by social services and general practitioners, not the health service. That pattern was also found in work done by the South and West Devon health authority. A study there compared the use of health and social care resources for two groups of MS patients.

Mr. John Burnett (Torridge and West Devon): Will my hon. Friend give way?

Mr. Burstow: I had better not. I have already given way once.

The study compared a group of MS patients who were being treated with beta-interferon with a group to whom the drug had been refused. In just one of a number of case studies dealt with in that detailed research, it was found that the lost tax revenues and the increased benefit payments accounted for about £10,000. A further £2,500 was being allocated to cover social care costs during relapses.

The conclusion of the study was clear. The researchers stated:

> "The study has been concerned to show that although the cash purchase price"—

of beta-interferon—

> "has proved an initial barrier to some potential NHS purchasers, when other factors are considered, the true 'cost' of the drug can be viewed in a more advantageous light. These include the quality of life of the patient during treatment, the impact on the use of resources in hospital and in the community, the effect of the disease on the families and friends of MS patients and the economic cost to the community as a whole."

I hope that in future, when work on the subject is done by the Department, these other issues will be taken into the equation. I hope that the National Institute for Clinical Excellence, which I understand will consider cost-effectiveness as part of its work, will take that wider view, rather than just a narrow health-related cost view. On the basis of the evidence that I have seen, and according to those who are far better informed than I am, it is clear that the drug can make a difference.

I sought the debate tonight because of a number of cases that came to my attention in my constituency. I expect that other hon. Members are present to listen to the debate because of cases that have been brought to their attention. In preparation for the debate, I spoke on Friday last week to the chair of our local MS society to discuss some of the issues of concern to its members.

The local group has 140 members, including 90 sufferers of MS, none of whom are prescribed beta-interferon. Indeed, I was told that at least two had been told that they are eligible under the existing guidance, but that no money is available to pay for the therapy. They went on to say that the problem was not just the drug, but the lack of planning by the health authority and the lack of awareness of the everyday experiences of MS sufferers.

Because there is inadequate provision in the health service to fund the treatment, the cost ends up being borne in other parts of the welfare state. In effect, we are funding dependency, rather than shifting the resources to fund greater independence.

MS wrecks lives. It robs people of their independence. The NHS response is unplanned, unco-ordinated and underfunded. MS sufferers want to know whether the 1995 guidelines will be properly funded and properly enforced around the country, so that we do not have the rationing of drugs by postcode. MS patients want decent diagnostic and rehabilitation services. The number of people who are told that they suffer from MS and who are left to try to lead their lives without any support is a scandal. We must ensure that there is decent support for people's rights of employment and so on. Above all, people want some certainty in their lives. I hope that, tonight, the Minister can begin to give MS sufferers greater certainty that the Government are committed to their care, treatment and rehabilitation.

10.15 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate the hon. Member for Sutton and Cheam (Mr. Burstow) on his good fortune in securing a debate on this timely and important subject. I express my gratitude to him for his thoughtful and clearly well-researched comments. I am sure that he will not object if I begin by putting some of his comments about resources in the right perspective. The hon. Gentleman will be aware that, over the next three years, an additional £21 billion will be spent on the national health service. That is a 4.7 per cent. real-terms increase in NHS spending. I hope that the hon. Gentleman will be aware also that the health authority in his constituency will be receiving an additional £25 million in funding next year. That is an increase of more than 6 per cent.

I say to the hon. Gentleman and to other hon. Members who are present—I am pleased to see so many right hon. and hon. Members taking an interest in the debate—that, within those overall budget figures, we expect expenditure on new drug treatments to increase significantly. We fully expect that a greater share of NHS resources will be spent on good-value new drug treatments over the next three years. I hope that the hon. Gentleman will not mind if I decline to accept his criticism of the Government record on investing in the NHS. I think that we can safely withstand any attack from the Liberal Democrats.

As the hon. Gentleman said, multiple sclerosis is a chronic, disabling disease which affects the central nervous system, causing damage to the nerves in the brain and spinal cord. It often strikes people when they are young. It is understood to arise from scarring and inflammation of the myelin sheath. This acts as insulation to the nerve fibres and helps conduct impulses through the central nervous system. When that happens, disabilities can vary from impairment of speech, vision and movement to continence problems or even complete paralysis. Because of its prolonged course, and the disability that can result from it, it is extremely distressing for those who suffer from the disease, and their families. It often has a profound effect on the lives of others in the family as well. We estimate that multiple sclerosis affects, as the hon. Gentleman rightly said, 80,000 to 90,000 people in the United Kingdom.

The disease course in MS is unpredictable. People most often present with relapsing-remitting MS, in which relapses or acute attacks of neurological disability are followed by periods of remission. Later, as chronic problems accumulate, the disease may become more progressive, with more acute relapses. Some people have the progressive form of the illness right from the start. Management of MS therefore involves a number of things, including treatment of relapses caused by increased disease activity, a proper care programme to minimise and control specific problems such as spasticity, bowel and bladder problems and fatigue, and specific treatment aimed at influencing the disease's progression.

People with MS have a wide range of health and other needs. These needs, particularly for health care, will nearly always change over time. Patients with long-term conditions such as MS require different levels of support and health care. An annual approach to their health care is not always appropriate. Our White Paper "The new NHS" presents us with good opportunities to develop innovative care approaches for people with long-term care needs, including those with multiple sclerosis. In the White Paper, we made clear our ambitions for a modern, dependable service that will provide first-class treatment and care for all those who need it. I want to make it clear at the outset that that applies just as much to those suffering from MS as to anyone else with long-term health care needs.

The recent consultation exercise on arrangements for long-term service agreements which we proposed in guidance on "Commissioning in the New NHS" will ensure that commissioning arrangements cover longer time scales of between three to five years instead of at present only one. In this guidance, our proposals for pathways of care will, where appropriate, link primary care, secondary care and social care, to which the hon. Gentleman referred. I believe that this is a better approach for people with long-term conditions such as MS. Discussions about these care pathways will involve users and carers as well as health professionals. However, we need to be realistic about making changes and we do not expect these new arrangements to happen overnight for all services, but to be developed on a rolling programme that replaces annual contracts.

Mr. Burstow: Listening to the Minister's speech, it is quite difficult to find the appropriate point at which to intervene. That being so, it may well be that he will be taking up the point that I am about to make. However, I seek clarification.

I referred to the fact that 46 per cent. of health authorities have no contracts and no clarity in their planning of delivery of services for MS sufferers. Is the Minister able to say specifically whether the National Institute for Clinical Excellence will be asked to undertake work in this area and provide a service framework to guide the pathways that he was talking about?

Mr. Hutton: I have some sympathy with the hon. Gentleman in respect of knowing what is the right place to intervene during an Adjournment debate, because it usually takes a bit of time to reach the specific points that have been raised. I can assure him that I will come on to the National Institute for Clinical Excellence, and—if he is okay with this—I shall refer to those issues when I reach that point in my remarks. The specific figure that he raised—that of 46 per cent. of health authorities not having any strategic approach to managing multiple sclerosis patients—is not one that I am familiar with. If he would like to make further representations to me, I should be happy to look into that.

We emphasised in the guidance that care pathways would be developed to cover a range of preventive, diagnostic, palliative, rehabilitative and supporting care components of an integrated programme of care. That applies in particular to long-term medical conditions where, following accurate and timely diagnosis, patient care will be managed outside an acute setting. That is likely to be the case for many neurological conditions and, given their complex nature, we plan to develop, with the help of the neurological voluntary organisations, a compendium of good practice on the commissioning of neurological services.

On services for people with MS, the hon. Gentleman will be aware that, last year, the Multiple Sclerosis Society published a survey of multiple sclerosis provision in England and a symptom management survey. The first survey was designed to establish how commissioners approach provision of MS services and to build a picture of service provision in England. The second looked at the experiences of a group of MS patients.

Under the present system, the organisation of health services, including services for people suffering from MS, and the manner in which they are delivered, are, quite rightly, matters for local health authorities. The move to new commissioning arrangements will achieve improvements in services for people with conditions such as MS. Longer-term agreements, reflecting dialogue

[Mr. Hutton]

between clinicians and focusing on health improvement and quality objectives, will increase the emphasis on programmes of care that cross the traditional boundaries to meet patients's needs best.

The White Paper "The New NHS" also underlines our commitment to working in partnership, which fully includes the voluntary sector. We are pleased to be supporting the MS Society in particular, under the section 64 scheme of grants, in respect of its emergent therapies project. The MS Society, together with the National Hospital for Neurology and Neurosurgery, have developed comprehensive guidance on standards for the provision of health care for people with MS. The society is offering formal recognition, as a benchmark of good practice, to centres and services that meet these standards. We very much welcome that helpful initiative.

Multiple sclerosis can have a profound effect on family life and, in particular, on the lives of people caring for family members or friends with MS. The Government recognise the vital role that carers play, which is why we announced a substantial new policy package for carers last week. That package will mean better information, better support and better care for carers. Families with a member suffering from MS should be able to cope more easily as a result of the additional help and support that they will now receive.

The NICE agitated the hon. Member for Sutton and Cheam quite extensively. Sometimes—MS is an example—there are few specific treatments available to treat a disease or condition. That means that health professionals need to arrange care packages that support, rather than cure or ameliorate, a condition. In such situations, there is naturally a great deal of interest in emerging therapies, but it can be difficult for individual clinicians and commissioners to make decisions about new therapies as they become available and to make themselves aware of all the pertinent evidence.

Mr. Kenneth Clarke (Rushcliffe): I am grateful to the Minister for his courtesy in giving way. He is giving some helpful general information, but he has touched on the immediate point that is affecting a lot of people across the country. When an experienced consultant wants to prescribe specific treatment for a patient, and he thinks that that patient will benefit, is it justifiable for the health authority to refuse to finance all patients for whom he has prescribed? Is it right to restrict on financial grounds treatments recommended by experienced consultants?

Mr. Hutton: The right hon. and learned Gentleman will not be surprised to hear that I will come on to that part of my speech in a few minutes and I will deal specifically with the important point that he has made.

That is why we are setting up—

Mr. Burnett: Will the Minister give way?

Mr. Hutton: No, I will not. I have only six minutes left in which to respond to a number of points.

That is why we are setting up the National Institute for Clinical Excellence. The proposals for a new national institute mean that, for the first time, patients and NHS staff will be able to turn to a single authoritative source of clinical and cost-effectiveness advice.

Internal markets and the postcode lottery that they inevitably created were never an acceptable way to run a health service. NICE guidance will provide a common effectiveness foundation for the NHS to inform and assist decision making about care at all levels—national, local and individual. By identifying which new developments will most improve patient care, it will help spread good value new treatments across the NHS. That, in turn, will promote and encourage successful innovation and, by sorting out the wheat from the chaff, it will be able to target treatments on patients who will benefit most, as well as protect patients from outdated and ineffective treatment.

Guidance from the NICE does not remove the need to take account of genuine, good clinical reasons for tailoring the care provided to individual patients. That will always be an issue to discuss with the individual patient in the consulting room. Better-informed patients and professional staff can only help lead to better-quality care for everyone, wherever they live.

The hon. Member for Sutton and Cheam expressed concern over the availability of beta-interferon, both for patients with the relapsing-remitting form of the disease and for patients with the secondary progressive form. We need to be clear that complex issues are involved. There is certainly evidence that beta-interferon can benefit some patients, but it appears that only a small proportion of those receiving treatment benefit from beta-interferon and it is impossible to predict which patients are likely to benefit. That is why many professionals involved in providing or commissioning health care are genuinely uncertain whether beta-interferon treatment represents a responsible use of NHS resources.

Those are precisely the sort of issues that we have set up the new National Institute of Clinical Excellence to advise on. I am happy to confirm that, subject to the outcome of consultation on the discussion document that we issued last week, we are minded to refer beta-interferon treatment to the NICE as one of its priority tasks. I hope, therefore, that by later this year we shall have clear, authoritative advice on the role of beta-interferon in the treatment of patients with this most distressing condition—*[Interruption.]* I thought that the right hon. and learned Member for Rushcliffe (Mr. Clarke) was seeking to intervene again.

Mr. Clarke: I simply wanted to say that I am glad that the Minister got around to dealing with that point. I thought that he would not, but I am grateful for what he said.

Mr. Hutton: I do not want to turn this into a love-in, but I am grateful to the right hon. and learned Gentleman as well.

Many people are aware, too, of the use of a rather older drug by patients with MS—cannabis. The Government receive a lot of correspondence from people with MS about their problems with pain and how cannabis seems to help alleviate the symptoms. The hon. Member for Sutton and Cheam did not refer to the use of cannabis, but I thought that the House might welcome one or two comments about how we view the use of cannabis in these circumstances.

We are not unsympathetic to the plight of those who cannot be helped by existing medication and I can appreciate the desire of people with severe pain to explore every avenue to seek relief. However, it would clearly not be of benefit to those people for us to come to a hasty decision on such an important issue. At this stage, there is insufficient evidence to demonstrate the effectiveness of cannabis as a therapeutic agent.

I am sure that the hon. Gentleman appreciates that the Government cannot condone the use of an illicit drug with unproven therapeutic benefit. Under the Misuse of Drugs Act 1971, possession of cannabis is, and will remain, a criminal offence. However, the report published in 1997 by the British Medical Association, "The Therapeutic Use of Cannabis", surveys the scientific evidence to support the use of cannabis as a medicine. The report shows that there is no reliable, well-conducted research evidence to support the therapeutic use of cannabis.

The hon. Gentleman is probably aware that the Royal Pharmaceutical Society has been working to improve the quality of research methodology for cannabinoids—the unique constituents of cannabis. Any therapeutic effects that cannabis may have are thought to rest in cannabinoids. The society is undertaking work to see whether it can establish that cannabinoids have therapeutic benefits in controlling pain and in improving the functioning of people with MS. Successful completion of that work will lead to the publication of guidelines to help researchers produce methodologically sound results.

I should have liked to say much more, but unfortunately I shall soon run out of time.

We are providing significant funding in a number of different centres to support research on the treatment of MS in a number of ways. I assure the hon. Gentleman that that support and funding will continue. The fundamental point that he raised, however, concerned NHS resources and their use to support effective programmes for MS. As he would be the first to acknowledge, NHS resources are not limitless. Priorities still have to be set, but we are taking the necessary action to raise the quality of treatment and care to ensure a fair distribution of resources across the NHS and to end the postcode lottery, which became all too common under the previous Administration.

Those actions and many others will help improve the national health service and ensure that it responds more effectively to the needs of patients, including those who suffer from multiple sclerosis.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Tuesday 16 February 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Wednesday 24 February at Seven o'clock.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Chemical and Biological Weapons

1. **Laura Moffatt** (Crawley): If he will make a statement about progress towards achieving the elimination of chemical and biological weapons. [69420]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): Chemical and biological weapons are banned under their respective conventions. We continue to work for universal accession to both conventions and are playing a leading role in negotiations on a protocol to strengthen the biological weapons convention. We are working hard to ensure effective global implementation of the chemical weapons convention. It is our ambition to prevent proliferation and help rid the world of those weapons of mass destruction.

Laura Moffatt: I thank my hon. Friend for that answer, and congratulate the Government on their stand, particularly on the convention on chemical weapons. Does he agree with me and with the Defence Select Committee that it is crucial that, under the chemical weapons convention, we continue to encourage countries to lay open their pharmaceutical industry for inspection, to ensure that all countries—including, of course, Iraq—are aware of exactly what is being produced?

Mr. Lloyd: Unfortunately, Iraq is not a state party to the chemical weapons convention—which gives us a problem, and is why more direct action to degrade Iraq's chemical and biological weapons capability was necessary in recent weeks. Nevertheless, my hon. Friend is right to say that, if we are to rid the world of those weapons, we need not only processes to prevent the export of relevant technologies, but systems of verification and of challenge inspections, to ensure that those who want to flout the convention are brought to book.

Mr. John Randall (Uxbridge): Does the Minister think that it would be appropriate to send international inspectors to Sudan to check whether the factory that was bombed by the United States was making weapons of mass destruction, or aspirins?

Mr. Lloyd: Obviously that is a question for the Government of Sudan. Undoubtedly, it would help enormously if Sudan were to join as party to the chemical weapons convention and—were it so to do—specifically to accept the regime of challenge inspections and verification. That would put the matter beyond all doubt.

Mr. George Galloway (Glasgow, Kelvin): Why is it a matter for the Government of Sudan? The United States Government launched a devastating blitzkrieg of cruise missiles on a pharmaceuticals factory on the basis of evidence that Kroll Associates—the respected New York investigators—in a report this week, said was "totally wrong". Will the Minister now say publicly, in the interests of proving that we have an independent foreign policy, what I know to be the Foreign Office's private view—that the attack on Sudan was a terrible, ghastly mistake?

Mr. Lloyd: The United States Government's public position, which my hon. Friend knows very well, is to hold to the view that the factory was being used for the production of chemical weapons. I simply repeat what I said to the House: the way for Sudan to move forward in the matter is to adhere to the chemical weapons convention, and to accept the verification procedures and challenge inspections.

Mrs. Cheryl Gillan (Chesham and Amersham): The Minister and I can agree that a fundamental objective of foreign policy must be the elimination of chemical and biological weapons. However, we must not forget the accompanying technology and delivery systems. Will the Minister confirm the alarming reports that Russia is not only supplying technology illegally to Iraq, but has plans to provide Syria with a ballistic missile capability, and has thousands of Russians working on the development of Iran's nuclear, chemical and biological programmes? Does he agree that the Russians' actions dramatically escalate security risks in the region? Will he tell the House what he is doing, either directly with Russia or at the United Nations, to discourage Russia from rearming Iraq and increasing tensions in the middle east?

Mr. Lloyd: Russian Foreign Minister Ivanov has categorically denied those stories, which is important. We always treat with concern any stories—from whatever source—about the proliferation of weapons of mass destruction. Within those terms, the matter has been raised with the Russians. I can repeat what I said: we have no evidence to suggest that there is any truth in the stories. I should tell the House—although I am sorry to have to raise a political note—that the previous Conservative Government were prepared to arm the Iraqi Government and Saddam Hussein. In so doing, they were prepared to breach any concept of international law, and they dictated who built weapons of mass destruction.

Agenda 2000

2. **Mr. David Watts** (St. Helens, North): What representations he has received about Agenda 2000 in respect of enlargement of the Union; and if he will make a statement. [69421]

9. **Mr. Lawrie Quinn** (Scarborough and Whitby): What representations he has received about Agenda 2000 in relation to European institutions; and if he will make a statement. [69428]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We are in regular contact on Agenda 2000 with consumer groups, regional organisations and the business and farming communities. In the negotiations, we support the Commission's proposals on reform of the common agricultural policy, particularly the cut in intervention prices, which will bring annual savings of £80 a year for the typical British family.

We support streamlining the structural funds, and will work to preserve the current proposals, which will make the United Kingdom one of only two member states to receive an increase in the number of areas covered by objective 1. We shall press vigorously for stabilisation of Europe's budget at broadly the level of the current year, and have made it plain that the case for the British rebate is as compelling as ever.

Enlargement of the European Union is an historic opportunity to unite east and west. In order to afford enlargement, the European Union must get spending under control. We are determined that it should do so.

Mr. Watts: I thank my right hon. Friend for that response. Does he agree that it is a sad indictment of the policies of the previous Government that Britain has some of the poorest regions and some of the richest? Will he do all that he can to ensure that structural funds continue to go to the areas that need them to try to bridge that gap?

Mr. Cook: As I have told the House, we shall have an increased number of areas covered by objective 1 structural funds. That should not give hon. Members any comfort, because it reflects the extent to which those regions have suffered over the past two decades, since they were last looked at. We are determined to ensure that they have every opportunity to recover from their current position. We shall ensure that they are supported by appropriate Government measures.

Mr. Quinn: Does my right hon. Friend agree that the reform of the common agricultural policy is inextricably linked to European Union enlargement? Would he like to contrast the Government's attitude with the little England mentality of the Conservative party—

Madam Speaker: Order. That is not the Foreign Secretary's responsibility. Will the hon. Gentleman finish his question?

Mr. Quinn: I apologise, Madam Speaker.

Will my right hon. Friend do his utmost to ensure that the Labour party's policies are seen to flourish at the forthcoming negotiations on reform of the common agricultural policy and European Union enlargement?

Mr. Cook: My hon. Friend's question speaks for itself. *[Laughter.]* I do not know what the Conservatives find funny about the fact that they were unable to make progress on the beef ban for two years. We have made progress through constructive engagement. Through our approach to Agenda 2000, we are likely to achieve prices in cereals and beef that will be broadly comparable to world prices. That was never secured by the previous Administration over 18 years. The rest of the nation may laugh at the Conservatives' record, but Conservative Members have nothing to laugh about.

Mr. Bowen Wells (Hertford and Stortford): Will the Foreign Secretary confirm that he accepts the recommendation of the International Development Select Committee on Agenda 2000—that all development should be undertaken by one commissioner, so that the whole development budget can be combined in a managerially and administratively sensible way?

Mr. Cook: The hon. Gentleman will be aware that we have considerable concerns about the European Union's development budget. It does not follow the policy, which we have adopted strongly, of targeting help on the poorest people in the poorest countries. As Britain is increasing its development budget thanks to the Government's policies, we can speak with authority on the issue and will continue to do so.

Mr. Michael Trend (Windsor): Will the Foreign Secretary give the House an absolute assurance that the British rebate is non-negotiable?

Mr. Cook: Yes.

Mr. Jim Marshall (Leicester, South): Madam Speaker, I apologise for having called you Madam Deputy Speaker last week.

Madam Speaker: I said that the hon. Member would never be called again. It shows what a softy I am.

Mr. Marshall: It shows that we can both make mistakes.

My right hon. Friend referred to the need to reform the structural funds. Britain is also keen on reform of the cohesion fund, but Spain—a main beneficiary of the fund—is violently opposed to the proposals. Is there any evidence that Spain might be adopting positions on other issues affecting UK-Spanish relations to change our stance on the cohesion fund?

Mr. Cook: Spain's position on Gibraltar existed long before the cohesion fund was invented. It is our view that as the cohesion fund was invented to prepare countries for membership of the single currency, it is illogical to continue with that fund once they are actually in the single currency. In those circumstances, we remain to be convinced of the case for the cohesion fund.

Dependent Territories

3. **Mr. Michael Colvin** (Romsey): When he expects to make an announcement on the outcome of his review of Britain's dependent territories. [69422]

4. **Mr. Bob Russell** (Colchester): What plans he has to visit the island of St. Helena to discuss his White Paper on British dependent territories. [69423]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I intend to publish the White Paper on overseas territories during the week commencing 15 March. The White Paper will provide a comprehensive review of Britain's relations with its overseas territories, including their relationship with the Foreign Office, their financial regulation and protection of their rich environmental heritage.

In preparing the White Paper, we have consulted closely with the Government of St. Helena and the other overseas territories. We believe that they will broadly welcome our proposals.

Mr. Colvin: Will the right hon. Gentleman acknowledge that no overseas territory is causing more concern to Parliament at present than Gibraltar? What will his review say about the future sovereignty of Gibraltar? Will he take the opportunity of the publication of the review to say what he will do about the Spanish proposals for joint sovereignty which, at the moment, are sitting in his pending tray? If those proposals are clearly rejected—as they should be, if he is to follow the wishes of the people of Gibraltar and, I believe, of this House—what alternative proposals will he put on the table?

Mr. Cook: The Spanish Foreign Minister's proposal was tabled at a meeting of the Brussels process. The Brussels process was, of course, agreed to by the previous Conservative Government, and committed Britain to discuss once a year with Spain the issue of the sovereignty of Gibraltar. When the Spanish Foreign Minister tabled proposals on the transfer of sovereignty in 1985, the Conservative Government left them lying on the table not for 15 months, but for eight years. At that meeting of the Brussels process, I undertook to give a reply at the next meeting. However, I said at the time that there would be no compromise on sovereignty against the wishes of the people of Gibraltar. That was our position at the last meeting—it will be our position at the next meeting as well.

Mr. Russell: I welcome the Foreign Secretary's statement this afternoon that the White Paper will be published next month, but does he agree that we now need speed in bringing St. Helena back into the British family, from which it was ejected in 1981—against its wishes—by the previous Government? Can we have an assurance that, before the millennium, St. Helena will be back in the British family?

Mr. Cook: I can give the hon. Gentleman an assurance that we will publish the White Paper in the week commencing 15 March. He will understand that I cannot anticipate what may be in the contents of that White Paper. I look forward to answering a question on the same subject come that day.

Mr. Phil Sawford (Kettering): I congratulate my right hon. Friend on the progress that the Government are making on the White Paper. Those of us who have constituents from St. Helena are well aware of the complexity of the issue, and of the problems of the island—high unemployment, a lack of opportunity and a heavy reliance on budgetary aid. Will he assure us that he will give sympathetic consideration in the review to the wish of the people of St. Helena for full British citizenship?

Mr. Cook: I can assure my hon. Friend that the issue has been pressed upon us by the Government of St. Helena—and by the Governments of some other overseas territories—and that we are well aware of the real concern. I entirely share my hon. Friend's other point of concern about the economy of St. Helena, which is one of the two overseas territories in receipt of overseas aid from Britain. It requires such assistance, and we are continuing to commit ourselves to make sure that we achieve economic reconstruction within St. Helena.

Mr. Andrew Mackinlay (Thurrock): Will the overseas territories review address the democratic deficit in the overseas territories, whose Parliament is this place and whose Foreign Secretary is my right hon. Friend, but for whom there is no access to Westminster? Should not the Government follow the Parliaments of France, the Netherlands and Spain—as well as the US Congress—which give representation in the main legislature to overseas territories? Is it not time that a Labour Government addressed themselves to enfranchising these people?

Mr. Cook: There is not universal demand from the overseas territories for such representation, primarily because we have much stronger decentralisation [illegible] their government than is practised in France, which retains some central control; but I assure my hon. Friend that the people continue to have direct access to myself and my Ministers, and one of the proposals in the White Paper is to provide a better structure for more regular dialogue.

Mr. Michael Howard (Folkestone and Hythe): When, in January 1997, the Spanish Foreign Minister proposed joint sovereignty for Gibraltar, within days, Sir Malcolm Rifkind, the then Foreign Secretary, said:

> "The idea is a non-starter. The simple point is that Gibraltar people want to remain British citizens. And that is the end of the matter."

Will the Foreign Secretary repeat his predecessor's words?

Mr. Cook: The fact is that no proposals were tabled in January 1997. There was an oral discussion between the two Foreign Ministers, as there has been between me and Mr. Matutes on six occasions in the past year. The right hon. and learned Gentleman is imagining any U-turn, weakening or retreat in the British position. As I have said to the Spanish Foreign Minister and to the House, the Government's position is that there can be no compromise on sovereignty against the wishes of the Gibraltar people. Their views on the matter are sovereign. We stand firmly by the commitment given by a previous Labour Government in 1969—that the people of Gibraltar will freely and democratically decide whether there should be any transfer of sovereignty.

The only people to whom the right hon. and learned Gentleman is giving comfort by imagining that there is a U-turn are the Government of Spain. If he really wants to convince them that Britain is firm, it is about time that he said that there is no sign of weakening by the Government, who are backed by a united, not a divided Parliament.

United Nations

5. **Ms Julia Drown** (South Swindon): If he will make a statement about arrangements for financing the United Nations. [69424]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): We continue to promote the European Union's proposals for reform of the arrangements for financing the United Nations, which are designed to reflect more closely countries' capacity to pay. We believe that the proposals represent the best way of resolving the current crisis in funding. At the end of 1998, the United Nations was owed over $2 billion by member states. We urge all United Nations member states to pay their dues promptly, in full and without conditions, as the United Kingdom does.

Ms Drown: I thank my hon. Friend for that reply, although I am concerned at its content. Over the past decade, 2 million children have been killed in war, and many more have been left disabled and homeless. The world looks to the United Nations to help to solve the conflicts that result in those deaths. How can the United Nations function without the funds that it requires to do its work? Will my hon. Friend make urgent representations to the right-wing Republicans on Capitol hill, and make it clear that they are acting irresponsibly and that children's lives depend on their agreeing to pay their dues without further delay?

Mr. Lloyd: My hon. Friend is absolutely right. The simple reality is that a United Nations that is owed $2 billion is not in a proper position to do all the work that we ask of it. We want a more efficient United Nations, but we do not necessarily want a cheapskate United Nations that cannot do the job that the world wants it to do. That is why we as a Government are the biggest single funder of, for example, the UN Commission on Human Rights. Now that President Clinton is firmly back in the saddle, it is incumbent on the United States Congress to accept that it must pay the United Nations what it owes.

Mr. Nicholas Soames (Mid-Sussex): In view of the American Government's lamentable record on the funding of the United Nations and their persistent default in stumping up what they owe, would the Minister support a proposition that the UN headquarters should move to London, at the very centre of the European Union, removing it from the ambit of the rather more absurd American views on it?

Hon. Members: Hear, hear.

Mr. Lloyd: The hon. Gentleman certainly seems to have created a popular movement among Government Back Benchers; but there is no proper proposal to remove the United Nations from New York. The reality is that both New York as a city and the United States as a country do very well out of the presence of the UN on their territory. That is why we expect Congress to come up with the money that it owes.

Kosovo

6. **Mr. David Lock** (Wyre Forest): If he will make a statement on progress on peace in Kosovo. [69425]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Along with my colleague the French Foreign Minister, I have been acting as co-chairman of the peace talks at Rambouillet. We have tabled a framework agreement and other texts that provide for a democratic, self-governing Kosovo.

Both delegations have got down to serious work on the texts, and have prepared detailed comments and amendments. It has not yet been possible to bring both sides together to negotiate on their amendments, mainly because of the insistence by the Serbs that both sides should first sign the statement of principles.

I return to Rambouillet tomorrow with the French Foreign Minister, when we will strongly remind both sides that the Contact Group requires them to conclude negotiations by Saturday. In my statement to the House two weeks ago, I warned that I could not guarantee that the talks would necessarily end in agreement. I regret to say that that remains the case today.

Mr. Lock: I thank my right hon. Friend for that answer, and congratulate him on the steps that have been taken so far to bring the sides together. Conservative Members have been liberal with their criticisms of my right hon. Friend, but I assure him that there is an appreciation, on these Benches and throughout Europe, that without his personal contribution, the talks might never have got going. Will he confirm that, if the talks are successful and there is a settlement, British ground troops under British control will be committed to Kosovo to ensure that the humanitarian atrocities that have afflicted the region in recent months will not be repeated?

Mr. Cook: It is indeed the case that Britain as a whole can take some pride in the work that is being done by its officials to secure those talks. It was, after all, Britain that drafted the key texts at New York and at the Contact Group meeting in London, and which played an important part in getting agreement in the North Atlantic Council. I am glad that our efforts have managed to bring together both sides for these talks.

However, the talks will be a success only if we get agreement by the end of them. I confirm to my hon. Friend that we are willing to commit British troops as part of an international force to provide stability in Kosovo so that a political settlement can take root, but they will go there only if there is a clear commitment to a political settlement. I hope that that will increase the pressure at Rambouillet to reach agreement.

Mr. Crispin Blunt (Reigate): Does the Foreign Secretary accept that, if troops are deployed in Kosovo, they will have to go for more than six months? With one division deployed indefinitely in Bosnia, the possible deployment of a corps headquarters and a brigade to

Kosovo would drive a coach and horses through the central assumption of the strategic defence review about the full defence structure required by the United Kingdom. Will the Foreign Secretary recommend to the Prime Minister that there should be a review of the full structure, and of the Army in particular, so that he can continue to pursue the foreign policy that he is pursuing at present?

Mr. Cook: We have only just completed a defence review that has been widely praised around Europe and which is currently being copied by a number of allies. The outcome of that review was in stark contrast to the repeated cuts, which amounted to a third of British forces' capacity, made under the Government whom the hon. Gentleman supported—and during his time as an adviser at the Ministry of Defence.

Mr. Donald Anderson (Swansea, East): Any fair person must congratulate my right hon. Friend on the way that he and his French counterpart have acted, and would hope and pray that there will be a successful conclusion. The success, or otherwise, of the negotiations will determine the success of the Washington NATO summit in April. Does my right hon. Friend agree that this is not a laboratory experiment, but a practical experience of Europe working with the United States for proper ends?

Mr. Cook: My hon. Friend is right, in that the drafting of the strategic concept for discussion at the forthcoming NATO summit envisages that organisation playing an important part in crisis management and crisis intervention. However, if such an international force is to be provided for Kosovo, we would want it to go beyond NATO, and would hope that some of NATO's other partners for peace would also play a part and help to provide a truly multinational force.

Mr. Menzies Campbell (North-East Fife): The Foreign Secretary is right to be cautious about the prospects of a successful agreement. May I press him, however? If there is no successful agreement, there will, of course, be no NATO ground forces in Kosovo, but the threat of air strikes will remain. What would be the strategic and military purpose of air strikes if no agreement can be reached? Would the purpose be, as has been reported recently, to break Belgrade's hold on Kosovo by degrading its military infrastructure?

Mr. Cook: I can assure the right hon. and learned Gentleman and the House that there is no question of NATO ground troops being provided if there is no settlement. We shall not fight our way in. The right hon. and learned Gentleman is quite right to say that a NATO decision already provides Javier Solana with the power to activate military action against Belgrade in the event of Belgrade not complying with the Contact Group's demands. The objective of such action, and of the threat of such action, is to try to secure the compliance of Belgrade. At present, we are still working to achieve a successful outcome, and that must be our priority for the next four days.

Mr. Mike Gapes (Ilford, South): If there is an agreement and troops go to Kosovo, can my right hon. Friend assure us that they will be sufficiently well equipped either to extricate themselves or to defend themselves adequately if there is any danger of the ceasefire breaking down? The experience of Bosnia has been one of mission creep, and many of us are concerned that we cannot be sure at the start of a process just where it will lead in some months' time.

Mr. Cook: The lesson of Bosnia is, indeed, that one should not commit forces unless they have the capacity both to defend themselves and to enforce their mandate. That is why the proposed force for Kosovo is significantly greater than the one deployed in Bosnia in the early years. As my hon. Friend may know, we are already embarking heavy equipment as a contingency plan, in case we need to commit British troops, as we want that equipment to be available in advance.

Mr. Michael Howard (Folkestone and Hythe): We wish the Foreign Secretary well in his attempts to broker an agreement on Kosovo. We support his efforts and we hope that they will succeed.

But will the Foreign Secretary now answer the question put by my hon. Friend the Member for Reigate (Mr. Blunt)? The right hon. Gentleman will be aware that the Minister for Defence Procurement told the other place last week that deployment of British troops in Kosovo would add greatly to overstretch in the Army. We were constantly told that the strategic defence review was driven by the Foreign Office, so do the Government intend to revise the SDR or to adjust their foreign policy?

Mr. Cook: There is no point in the right hon. and learned Gentleman rising at the Dispatch Box to wish us well in the talks, but then trying to knock away one of the main incentives for reaching agreement. We are clear on two points. First, the Chief of the Defence Staff has been fully involved in our decisions, and I am sure that he would have made no irresponsible decision. *[Interruption.]* I do not see why any hon. Member should find that amusing.

Secondly, we are conscious of our own role in the alliance. It is broadly agreed that the core of provision for Kosovo should be the ARRC—Allied Command Europe Rapid Reaction Corps—headquarters. Britain has for decades been the lead nation there, and it would gravely undermine our standing in NATO if we were to walk away from that responsibility. We intend to fulfil our responsibility, and we are conscious of having a much better prepared military posture than we inherited from the previous Government after 10 years of cuts.

Mr. Howard: No one is suggesting that the Government should walk away from that responsibility. As I have repeatedly said, we support the Government's efforts. But the Minister of Defence Procurement, at least, was aware of the questions posed for overstretch within the British Army. The question is: will the Government look again at the strategic defence review, or will they look again at their foreign policy in view of the great overstretch conceded by that Minister?

Mr. Cook: I must tell the right hon. and learned Gentleman that we have no intention of looking again, as he puts it, at the foreign policy that is committed to trying to achieve peace in the Balkans. I wish that, just once, the right hon. and learned Gentleman could rise to express his support without immediately following it by a "but".

Cyprus

7. **Mr. Andrew Dismore** (Hendon): If he will make a statement on the contribution of Her Majesty's Government to efforts to achieve a solution to the Cyprus problem. [R] [69426]

12. **Mr. Nigel Waterson** (Eastbourne): When he next plans to visit Cyprus to discuss with the parties the end of the division of that island. [69431]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): We remain committed to resolving the tragedy of Cyprus's division. We continue to believe that the best means of achieving a solution is on the basis laid down in UN Security Council resolutions for a bi-zonal, bi-communal federation. Therefore, we welcome UN Security Council resolution 1218, adopted on 22 December 1998, which sets out clear and far-reaching objectives for reducing tension and for progress towards a just, comprehensive and lasting settlement in Cyprus.

Mr. Dismore: Is my right hon. Friend aware that there was some concern on the island at the recent comments of Sir David Hannay? Therefore, I welcome the Government's reaffirmation of the policy of looking to a settlement based on a bi-zonal, bi-communal federation and on a single sovereignty. Does my right hon. Friend welcome, as I do, the decision of the Cyprus Government not to take S300 missiles on to the island? Also, does she agree that one of the best ways forward is to work towards a more general demilitarisation of Cyprus as a step towards a settlement of the tragedy that has been taking place there for 25 years?

Ms Quin: I am grateful to my hon. Friend for his comments. He is right to welcome the decision of President Clerides not to deploy those missiles, which will both reduce tension and help Cyprus to accede to the European Union. Having seen the transcript of what Sir David Hannay said, I am satisfied that his remarks were misrepresented. Indeed, in various meetings, including one with the high commissioner for Cyprus here in London, he and I have reaffirmed that there is no change in our policy on Cyprus.

Mr. Waterson: Does the Minister agree that, given the unilateral decision of the Cypriot Government not to deploy missiles to reduce tension, as she put it, and the complete lack of any countervailing contribution from the regime in the north of Cyprus to reduce any part of the military presence there, the only answer is to press forward as fast as possible towards accession to the European Union at least for the south of the island—hopefully, to be followed one day by the north?

Ms Quin: The accession process is on track in terms of the examination by the European Commission of the various dossiers. As the hon. Gentleman knows, we have always hoped that the accession process could provide a catalyst towards the settlement of the Cyprus problem, and we still want to concentrate minds on that possibility.

Mr. Eddie O'Hara (Knowsley, South): Does my right hon. Friend agree that one of the most useful ways in which we could ease the situation in Cyprus is through increasing the number of intercommunal exchanges? Therefore, will she join me in commending the recent successful visit of 1,280 Turkish Cypriot Muslims to the Hala Sultan Tekke shrine in Larnaca and in hoping that there will be similar exchanges for Greek Cypriot pilgrims, for example, to visit the Apostolos Andreas monastery in the far north of the Karpasia peninsula, and even the church of Ayios Mamas in Morphou?

Ms Quin: I agree that initiatives to try to increase contacts between the communities are worth while. Those initiatives, along with others with which the friends of Cyprus, including Members of Parliament, have been involved are welcome and we wish to encourage them.

Mr. Nicholas Winterton (Macclesfield): In seeking to follow up the constructive question of the hon. Member for Knowsley, South (Mr. O'Hara), does the Minister accept that, if we are to achieve lasting peace and unity in Cyprus, we must carry with us in achieving that objective not only Turkey but the Turkish Cypriots? Cyprus has had a sad history in the past 30 years. What action are the British Government taking to work more closely with Turkey, which is a member of the North Atlantic Treaty Organisation and has given that body great support, and with those responsible Turkish Cypriots who want a united Ireland—*[Interruption.]* That was merely a Freudian slip, Madam Speaker. I should have said a united island—hon. Members misunderstood my Cheshire accent. What action are the Government taking to work more closely with Turkey and with the Turkish Cypriot Administration to get greater co-operation on the ultimate unity of Cyprus?

Ms Quin: I was wondering whether the hon. Gentleman's comments signalled a dramatic shift in his party's policy on a variety of issues. He and I can at least join in saying that we are interested in promoting peace processes; and we are certainly interested in doing that in Cyprus. We engage in dialogue with Turkey and try to promote measures to build confidence between Greek Cypriots and Turkish Cypriots. We support the work of Sir David Hannay and of Dame Anne Hercus, who is doing a good job on the island of Cyprus trying to bring communities together and to find ways of solving the long-term problem.

Mr. Tom Cox (Tooting): The whole House will welcome my right hon. Friend's comments. She will be aware that there have been many disappointments in attempts to achieve a settlement in Cyprus, none more acute than on the return of Famagusta, which would benefit both Greek Cypriots and Turkish Cypriots. Will she give an assurance to the House and to the people of Cyprus that the return of Famagusta is a Government priority?

Ms Quin: We have raised the issue of Famagusta and Varosha on many occasions, but my hon. Friend will accept that the best way to make progress is to continue to press the various initiatives taking place within both the United Nations and the European Union towards a comprehensive settlement.

Pakistan

8. **Mr. Julian Brazier** (Canterbury): What steps he is taking to monitor human rights abuses in Pakistan. [69427]

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): During my visit to Pakistan last week, I raised with the Minister for Justice a number of concerns about human rights.

Mr. Brazier: Is the Minister concerned about the arrest earlier this month of four leading members of Pakistan's third-largest party, the Mohajir Qaumi Movement; and about the considerable evidence of religious persecution side by side with political persecution, including the fact that five Christians currently await trial under Islamic blasphemy laws? Is the Minister willing to use this country's considerable leverage—Pakistan is a recipient of aid from us and is a full member of the Commonwealth once more—to make those points strongly to the Pakistani Government? Is he willing to receive written representations from the MQM on the political matters and from Christian rights organisations?

Mr. Fatchett: Last week, I took the opportunity to stress our concerns about the need to maintain religious freedom, which is part of Pakistan's written constitution. The Minister for Justice reassured me that the Government were committed to that constitution and would try to implement it. What is important is that practice coincides with the written letter of the law, and we shall certainly take every action possible to ensure that that step is taken and that there is religious freedom in Pakistan.

Mrs. Alice Mahon (Halifax): Has my right hon. Friend had time to read last week's debate on human rights for women, which was initiated by my hon. Friend the Member for Keighley (Mrs. Cryer)? May I draw the House's attention to the fact that, under the Zina laws and Huddood ordinances, women in Pakistan are quite often denied basic human rights? Dreadful practices often take place. Will my right hon. Friend the Minister take up directly with the Government of Pakistan the need to get rid of those unjust laws?

Mr. Fatchett: I assure my hon. Friend that I took up those points last week: I expressed our concern that there should be equality before the law and that women in Pakistan should enjoy the same rights as men. I also stressed to the Ministers I met that the increasing influence of the Taliban on Pakistan is a detrimental and negative influence, on which the Government in Pakistan should keep a close watch.

Mrs. Virginia Bottomley (South-West Surrey): The Ahmadiyya community have their European conference centre in my constituency, and they report a series of deplorable human rights abuses, including lack of freedom of religion, speech or assembly. They know that the Government have said that human rights are at the heart of their policy, but what substance is behind the rhetoric? Is there any hope for practical improvement for them and their families in Pakistan?

Mr. Fatchett: I can only repeat to the right hon. Lady the point that I have just made to the hon. Member for Canterbury (Mr. Brazier) and my hon. Friend the Member for Halifax (Mrs. Mahon), which is that we are concerned about religious freedom in Pakistan. Pakistan's written constitution states that individuals should have a right to practise their faith, but clearly that right is not always honoured in practice. I assure the right hon. Lady that we shall continue to make the strongest possible representations to the Government of Pakistan that people should enjoy their rights under their country's constitution.

Palestinian Authority

10. **Dr. Nick Palmer** (Broxtowe): What steps he is taking to support the Palestinian Authority in developing a sound economy. [69429]

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): We actively support the Palestinian economy through an extensive programme of bilateral aid and our contribution to EC aid programmes. We announced last November that we shall provide over £50 million in bilateral aid during the next three years. That aid will not only help to develop health and infrastructure facilities and support refugees, but provide technical support for training economic experts for the technical assistance unit of the Palestinian Authority. That brings our total bilateral aid since the signature of the Oslo accords to £122 million.

Dr. Palmer: Does my right hon. Friend agree that the success of the Palestinian Authority in providing what is perceived to be clean and successful government is very much in the interests of all the countries in the area? Will he urge all those concerned, including the United States, to facilitate the access of Palestinian goods to world markets as a contribution to that success?

Mr. Fatchett: My hon. Friend raises two points. First, it is important, as he rightly says, that the Palestinian Authority is transparent and accountable, and it is important for donor countries that there is clear accountability in the use of aid. Secondly, the best way forward for the Palestinian economy is to be able to trade with the rest of the world, and we should like such opportunities to open up for the Palestinians.

Mr. Michael Fabricant (Lichfield): I welcome that answer, but is the Minister aware that, since the authority's formation, Palestinians' annual income per capita has fallen from $1,700 a few years ago to $1,400? Is he aware that that is partly due to the corruption in the Palestinian Authority? Is he aware that, among all the squalor in the area, some 100 families are building large villas, almost palaces? What can the Government do to ensure that corruption is stamped out and that aid from the United Kingdom and the European Union gets to the people that we are trying to help?

Mr. Fatchett: It is crucial that there is transparency in the use of UK and European Commission aid, and we shall continue to argue for that. Since the Oslo accords, the living standards of the average Palestinian have declined. We need to address the crucial questions in the middle east relating to the peace process and we have to give Palestinians the belief that peace will bring prosperity. I hope that the Government of Israel and the Palestinian Authority recognise the commitments that they have made under the Wye River accords and that they honour them and implement them in full.

Dr. Phyllis Starkey (Milton Keynes, South-West): May I take up my right hon. Friend's previous answer and ask him what pressure the Government are putting on the Israeli Government to implement the Wye River accords and not to put them on hold until after the general election? Those accords were made with the state, not with whichever party happens to be in government.

Mr. Fatchett: My hon. Friend is absolutely correct—the agreement was made on behalf of the state of Israel. There is no opt-out clause stating that the agreement should be put on hold while a general election takes place. It is our strong belief that the commitments made by both parties under the Wye River accords should be implemented in full and we call on the Palestinians and the Israelis to do just that.

EU (Veto)

11. **Mr. Howard Flight** (Arundel and South Downs): What recent discussions he has held with his European counterparts on the continuation of the national veto. [69430]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): The veto has not figured in recent discussions held by my right hon. Friend the Foreign Secretary or by me. A decision will be taken at the European Council in Cologne in June on when and how to discuss institutional reform in preparation for enlargement. No proposals are on the table.

Mr. Flight: Is it the Government's policy to resist absolutely to give an inch—or perhaps I should say a centimetre—in terms of our veto power? Can the Minister confirm that the Government are opposed to any attempts under the Amsterdam treaty to use the power of the courts, especially in the area of tax harmonisation and the common European withholding tax, to get around the powers of our veto to block such measures?

Ms Quin: Taxation is one of the matters on which, as the hon. Gentleman knows, we believe that unanimity should remain. There are other matters too, which we have listed, such as treaty changes, defence and immigration. However, the hon. Gentleman's concern about the matter sits ill with the Conservative Government's record on both the Maastricht treaty and the Single European Act, whereby, as he knows, majority voting was extended dramatically.

Mr. Bill Rammell (Harlow): Does my right hon. Friend agree that, although the veto is the ultimate preserver of the national interest, threatening to use it at the start of any discussions with our European partners in intergovernmental negotiations actually serves to undermine the British national interest? If any demonstration of that were wanted, we need only look back to the beef crisis, when the Conservative party in government threatened our European partners with everything bar nuking them and got absolutely nowhere—but, within 18 months, the Labour Government got the ban lifted.

Ms Quin: My hon. Friend makes a good point. Certainly, on issues such as tax harmonisation, on which we obviously have several allies, it is absurd to start from the presumption that we are in an isolated position.

Mr. John Wilkinson (Ruislip-Northwood): In an earlier answer, the Foreign Secretary was very dismissive of the hon. Member for Leicester, South (Mr. Marshall) for implying that we might be less than firm in defence of the British rebate. Can the right hon. Lady reiterate, without any equivocation whatever, that, if the British rebate were to be reduced, Her Majesty's Government would forthwith issue a veto on that proposal?

Ms Quin: I am always delighted to repeat guarantees given by my right hon. Friend the Foreign Secretary.

Brazil

13. **Mr. Bob Blizzard** (Waveney): If he will make a statement on his policy relating to Brazil following the recent economic turbulence there. [69434]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): Brazil remains by far our largest market in Latin America and we are committed to strengthening our trade and investment links with that country.

The Government support the Brazilian programme of fiscal adjustment agreed with the International Monetary Fund and welcome the Brazilian Government's commitment to continue with the reform process.

Mr. Blizzard: I thank my hon. Friend. Will he press the Brazilian Government to ensure that, in their stabilisation process, poorer and more vulnerable people are given as much protection as possible? More generally, does not the economic crisis in Brazil underline the importance of the work of my right hon. Friend the Chancellor of the Exchequer in creating new international arrangements to assist world financial stability—in contrast to the previous Government, who saw no further than boom and bust?

Mr. Lloyd: On the second point, of course my hon. Friend is right; he has a particular interest in Brazil. The record of the previous Government was poor in terms of not only Brazil but the whole international financial system. Not only have the present Government given considerable support—some $2.25 billion—to the Brazilian economy directly, but the Government, and the Chancellor of the Exchequer in particular, have been concerned to ensure, through the G7 and elsewhere, that the global financial system works to move to greater stability, greater transparency, the introduction of codes of conduct, and practical co-operation between regulators: practical efforts to ensure that this financial crisis can be brought to a speedy end.

On the issue of protecting the poorest people in Brazil, we shall argue, both in our direct relations with Brazil and in our consultations with the IMF, that the most vulnerable must be protected.

EU (Political Integration)

14. **Mr. Tim Loughton** (East Worthing and Shoreham): What discussions he has had with his German counterpart about the prospects for political integration within the EU. [69435]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I maintain close contact with Joschka Fischer. Last month in Brussels, I expressed our support for the priorities that he has set for the German presidency: employment, Agenda 2000 and enlargement. The German presidency has not made any proposals for integration part of its agenda, and nor have we.

Mr. Loughton: What did the German Foreign Minister mean when he told the European Parliament last month that political union must be our lodestar from now on? More important, what did he tell the Foreign Secretary he meant by that statement?

Mr. Cook: The German Foreign Minister set out for the European Parliament a broad visionary statement which was a characteristic expression of the German vision of Europe. It happens not to be one that we share; nor have we shared that vision over many years. Our position is closer to that expressed by President Chirac last week, when he called not for a united states of Europe but for a united Europe of states. That statement shows clearly that we have many friends in trying to fashion a Europe in which we work together when we have common interests, but preserve our national identities and ensure that there is decentralisation wherever possible.

Mr. Peter L. Pike (Burnley): As my right hon. Friend said, is it not a fact that the German Government have exactly the same priorities as the British Government within the European Union: jobs, securing European enlargement and making Europe work positively? That is better than an obsession with the silly things, which the Conservative party continues to pursue.

Mr. Cook: My hon. Friend is absolutely right: we share fully the priorities of the German presidency. We think that Germany is absolutely right in putting jobs at the top of the agenda. We intend to work with Germany in making practical progress on the things that really matter to our people. That is—to coin a phrase—the British way.

Dr. Julian Lewis (New Forest, East): Surely the Foreign Secretary cannot pick and mix the bits that he likes and the bits that he does not like from the German Foreign Minister's comments. Is it not a fact that the German Foreign Minister—a man elected to that position on less than 7 per cent. of the popular vote achieved by his party under proportional representation—has said time and again that he envisages the European Union serving the purpose of political union? Why does the Foreign Secretary not disown that statement if he does not believe it?

Mr. Cook: Whenever the German Foreign Minister makes a specific proposal with which we disagree or which we believe will not be in the British interest, we will oppose it. However, I rather doubt whether it would assist my relations with Germany if I were to suggest to the German Foreign Minister that he lacks a popular mandate.

Latvia

15. **Mr. Paul Flynn** (Newport, West): What plans he has to improve relations with Latvia. [69436]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): The United Kingdom enjoys excellent relations with Latvia. We plan to enhance our bilateral co-operation programmes, which are designed to help Latvia's preparations for membership of the European Union and to improve Latvia's defence capabilities.

Trade with Latvia is growing at a healthy rate. Latvia, together with Estonia and Lithuania, is included in the new trade and investment initiative "Opportunities in Central Europe", run by the Department of Trade and Industry and the Foreign Office, which was launched by my hon. Friend the Minister for Trade on 9 February.

Mr. Flynn: Is it not a matter of congratulations and satisfaction for all those concerned that the rebirth of democracy in the three Baltic states has gone ahead so peacefully, despite the great potential for divisions between ethnic minorities both within those countries and outside their borders? When members of our sister Parliament, the Saeima, visit us next month, will it be possible to give the Latvians, and pass on to the Lithuanians, an assurance that the breach that has occurred in progress towards European unity—involving Estonia and Europe, the other Baltic states and the unfortunate difference in pace—may be put right by ensuring that the Baltic states proceed towards joining the European family of nations together? Estonia does not need to take the lead.

Ms Quin: I pay tribute to my hon. Friend's work in seeking to build good relations between this Parliament and the Parliaments of the Baltic states.

With regard to European Union accession, we believe strongly that membership should be dealt with on its merits. Therefore, we support the approach that the Commission has taken. However, we are very pleased at the way in which the prospect of European Union membership has encouraged changes in Latvia, Lithuania and Estonia. That was witnessed in the favourable result achieved in the Latvian referendum on nationality issues, which we believe was a step forward in the treatment of minorities in that country.

Mr. John Bercow (Buckingham): Given the recent spate of bombings in Latvia, what advice is the Foreign Office giving to visitors to that country?

Ms Quin: I am not aware that we have changed travel advice recently with regard to Latvia, but, if what I say is not correct, I shall write to the hon. Gentleman.

Genetically Modified Food

3.30 pm

Mr. Tim Yeo (South Suffolk) *(by private notice)*: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the safety of genetically modified food.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): The Government are fully committed to ensuring the safety of food. All genetically modified foods and food ingredients go through a process of very thorough scrutiny by a committee of experts, known as the Advisory Committee on Novel Foods and Processes. The committee advises the Government and has a remit to examine all novel foods—genetically modified and otherwise. Such foods are also scrutinised by equivalent bodies in all other member states, to ensure that no food comes on to the market unless it is safe.

The committee, which was established in 1988, has members from universities and research institutes who are experts in their fields and are fully up to date with the latest scientific thinking. There are two lay members whose respective roles are to advise on ethical issues and the consumer aspect, and to see that the scientific experts pay attention to the concerns of the wider public. Since May 1997 the committee has been taking steps to become increasingly open, and now publishes all its agendas, minutes and a note of the outcome of each meeting.

The products that have been authorised—which was some time ago—have all been through that rigorous process.

We are also committed to the principle of consumer choice. The Government are determined that all foods containing GM material should be clearly labelled. We are now leading the way in Europe in this regard by also requiring the provision of information in catering establishments. We are taking steps to ensure that local authorities have all the necessary powers to enforce those requirements. In addition, we are pressing the European Commission to introduce proposals for the labelling of animal feeds as quickly as possible.

Choice also means having access to alternatives. That is why the Government have published a list of 59 companies from which food manufacturers can obtain non-GM soya. That list was published almost 12 months ago.

We believe that all that adds up to a system in which consumers can have confidence.

Much of the recent debate inside and outside the House has unhelpfully confused the two issues of food safety and protection of the environment. There have been many attempts to generalise from findings in laboratories at the experimental stages.

Genetic modification is a development that has huge potential to benefit society in various ways—not least the possibility that it might eventually prevent us from having to pour thousands of tonnes of chemicals on to our foods as we grow them. However, it is important that the end products be put on the market only after the most careful scrutiny of their effects on human health.

We believe that we have a robust and open system for ensuring that the consumer is fully protected, but that those who so wish can choose whether to purchase those products. Above all, it is the Government's first priority to ensure that the safety of consumers is fully protected, and that will remain the case.

Mr. Yeo: I am grateful to the Minister for his answer, and only sorry that he is not supported in the Chamber by the Minister of Agriculture or by a single member of the Cabinet.

Does the Minister understand that public confidence in the safety of food that contains genetically modified ingredients is being damaged every day by the Government's mishandling of the issue? Is he aware that there are real anxieties about the environmental impact of commercial planting of genetically modified crops in a small country such as Britain, whose topography is so different from that of the United States?

Why will not the Government take the advice of English Nature—that the current research into the environmental effects of GM crops should be completed before approval is given for their commercial release? Does he accept that that will take at least three or four years?

Will the Minister explain why the Minister for the Environment, who is not present, told the *Sunday Herald* last weekend that no commercial planting would take place until next year, although the Minister told the House only two weeks ago that planting might start this year? Will the Minister announce today that there will be a three-year delay before herbicide-tolerant and insect-resistant crops can be commercially planted?

Will the Minister explain what the Government are doing in response to health fears about the use of antibiotic-resistant marker genes? Does he understand that a Government who get their friends to suppress the publication of inconvenient research findings, who accept sponsorship from companies involved in promoting the commercial growth of genetically modified crops, and who refuse to publish the advice that they receive on this sensitive issue do not deserve the public's trust?

Why ~~will not~~ the Prime Minister tell us whether he is under pressure from President Clinton, who is known to be close to Monsanto on this subject? Do the Government realise that, although better labelling is an urgent and top priority—I welcome the Minister's reference to it—its value is inevitably limited because of the failure to segregate genetically modified from conventional crops?

Does the Minister understand that the Conservative party fully supports the current research programme into genetically modified crops, including the field-scale trials? We want that research programme to be completed. Does he share our view that the only way to restore public confidence in foods which may be safe and technology which may be beneficial is to recognise the environmental and the health worries, and ensure that future policy decisions are taken in a more open way by Ministers whose independence and integrity can be relied on?

Mr. Rooker: I shall do my best to answer the hon. Gentleman's points. He started by saying that there is a lack of public confidence in genetically modified food and then touched on environmental issues. I want to explain: the only foods on sale that are genetically modified are a tomato paste, which was approved in September 1994; soya beans, which were approved in February 1995;

and maize, which was first approved in 1996—plus four further varieties, which were approved in January and February 1997.

All that information is not secret; it was known. I remind the House that every hon. Member recently received from me a brochure on the work of the Advisory Committee on Novel Foods and Processes, setting out the dates. Those foods went through that regulatory process. In my initial answer, I explained what we have done to toughen that process up: publishing the minutes and the agendas of that committee will let everyone know that it has decided not to approve a food. Decisions are no longer taken behind closed doors.

I also said that there had been a change of policy regarding labelling. The policy that we inherited was to oppose the labelling of these three foods. We were on our own in Brussels—the only country out of 15 members that was trying to negotiate not to label those foods. The policy was changed, then announced on 7 June 1997.

I agree that it took a while to reach agreement in Europe, but since September last year, it has been a legal requirement to have those foods labelled. I accept that we cannot enforce penalties because, at the moment, we do not have the appropriate British legislation, but we have spent three months consulting on that and an extra month consulting on the catering industry's involvement. That is not a European Union requirement, but we think that catering should be included.

With all that said, and given the fact that sources of non-GM foods are also available, I genuinely believe that the public should have confidence in the foods that are on sale—and that were allowed to be placed on sale by Ministers in the previous Government.

The hon. Gentleman asked about matters that are outside the remit of the food regulatory system. However, I am happy to answer his questions. The regulatory system is split, and rightly so. It would be wrong if one Ministry were making all the decisions. Environmental research and field-scale trials must continue. At the moment, the trials are small, but larger trials will begin this year.

There is a self-imposed three-year moratorium on pesticide-resistant crops. I accept that the industry cannot get the products ready for two years anyway, but the moratorium is nevertheless in place. No commercially grown GM-crops will be planted this year. Planting was always intended to take place at the turn of the year or early next year because of the seasons. There are no approvals for those crops to be grown commercially, and we shall assess the position after we have the latest information on the current trials and on those that are to take place.

There is a moratorium on a free-for-all. There will be no free-for-all in the commercial planting of these crops. Farmers will not be allowed to have access to the seeds and to plant them field after field in farm after farm. They will suffer penalties if they break the rules. They will lose access to the technology, and there will be an independent audit of the crops and seeds when and if they come on the market.

The hon. Gentleman referred to the repression of research. I honestly do not know to which research he is referring. We have not repressed any research. No research findings have been repressed, and I challenge anyone to say what research has been repressed and how we have repressed it. Umpteen research experiments—probably dozens—are being carried out up and down the country in public and private sector institutions, some of which are sponsored by the Government and others by industry. The Government have not repressed any research results, and I challenge anyone to show otherwise.

Mr. Yeo: What about Professor James?

Mr. Rooker: The advice on eating raw potatoes is exactly the same as it is on eating raw chicken—do not do it; cook it first. That is the official scientific advice that was given to the House of Lords Select Committee, which spent six months investigating the issue. It does not matter whether the potatoes are genetically modified or not, that advice remains the same. For the avoidance of doubt, no GM potatoes are being trialed or marketed in this country.

We publish the advice we receive, and we are opening up food policy in a way that was unheard of three or four years ago. I hope that I have satisfied hon. Members on labelling. We shall publish the statutory instrument by the end of the consultation period next week. I am not a business manager, but we have no problem about debating that legislation on the Floor of the House to show what we have achieved on labelling since we came to power.

The hon. Gentleman's last point was about the failure to segregate. I accept that that is a difficulty; it causes a problem. When we came to office, companies complained to me about the failure to obtain segregated soya produce from America because it had been mixed up. We considered the legal position, which is that we cannot, either as a country or as a member of the European Union, force segregation under the rules of the World Trade Organisation, because we do not have a medical reason for it.

However, we did not rely on that, because we wanted a consumer-choice reason for segregation. We called in all the leading players in the industry—large and small manufacturers—to ask what the Government could do to assist in getting non-GM supplies. The result of our inquiries was a list of 59 non-GM suppliers. We were told by those companies that we had missed the boat on segregation by about 18 months. They told me that in January 1998, and I plead guilty to missing the boat 18 months before that date.

I do not know—because I have no access to the papers—whether the last Government tried to press or negotiate for the segregation of such crops at the same time as they approved their sale in this country.

Dr. Ian Gibson (Norwich, North): Does my hon. Friend agree that Opposition Members are suffering from late-night reading of John Grisham novels? Is he prepared to convince the House that scientists in Norwich who are working in the John Innes Centre, the Institute of Food Research and the Sainsbury laboratory will be able to conduct their researches into viral resistance using such crops and nutritious foods, which is their aim?

Those scientists have always collaborated with the agencies mentioned by my hon. Friend, and they should be encouraged to do so. Good science will produce the answers to some of the questions—as will the honesty and openness shown by this Government, which contrasts

[Dr. Ian Gibson]

with the Conservative Government's attitude to the problems of BSE. People died because of their incompetence; no one has yet died because of genetically modified food.

Mr. Rooker: We are attempting to operate on the basis of the best science, but we go beyond that. Our doors are still open to receive the views of scientists who might be described as being outside the loop.

Mr. Paul Tyler (North Cornwall): Surely the core issue is not whether there is a conflict of interests in the case of one Minister, but whether there has been a complete lack of interest on the part of a succession of Ministers over the past decade or so.

The Minister asked what happened under the Conservative regime when the issue of segregation arose. I think that I can tell him, because I asked his Conservative predecessor, the then food Minister, what the Government were doing about the segregation of genetically modified organisms in soya and other crops. The answer was that the Government had washed their hands of it: they felt that it was not worth bothering about. I put it to the Minister's predecessor that the horse had bolted, and that it would now be incredibly difficult to ensure that there was accurate labelling so that our constituents, the consumers, could make an informed choice, because the Tory Government—whom these folks on the neighbouring Benches still apparently represent—had failed in their public duties to those consumers.

On 3 February 1997, the then Minister told me specifically:

> "The UK Government believe that genetic technology has the potential for widespread benefit".—[*Official Report*, 3 February 1997; Vol. 289, c. *515*.]

I ask the present Minister to ignore the humbug of Conservative Members—but two wrongs do not make a right. I am sure the Minister will agree that there is widespread concern about the issue; does he also agree that the science of surveillance is not keeping up with the science of development? Does he agree that, in particular, the issue of labelling is becoming incredibly difficult to manage? When I met representatives of the Food Safety Agency in Brussels yesterday, it was clear that they too were dissatisfied with the progress being made. Does the Minister agree that, in view of the widespread concern, it is time for a new statement of Government policy to reassure the public?

Mr. Rooker: I hope that I have been able to go some way down that road this afternoon. With regard to Brussels, it is true that there are gaps in the labelling proposals, but we expect a European Union proposal shortly to deal with additives and flavourings that are not covered by the current regulations, and we expect a de minimis level to be negotiable from March this year. We need to close the gap. I hope that, by the time we have introduced the statutory instrument to cover labelling—which will include the catering industry, in relation to which we are going beyond the EU directive—we shall be able to show that we are taking the matter seriously.

As for segregation, as I said the other day, proper, effective labelling with a claim that can be tested in laboratories, and the availability of alternatives, will enable consumers to vote with their feet. Ultimately, market forces will prevail.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Many people will be very concerned about what happened to Dr. Pusztai at the Rowett research institute in Aberdeen. Within days of giving a television interview about his work he was forced to retire, with a gagging clause. Given that it is a Government-funded research institute, will the Minister use our influence to remove that gagging clause, so that Dr. Pusztai can explain exactly what his work proved, or demonstrated in his mind, and his own anxieties? In that way, rather than being perhaps shifted to one side, his work can be thoroughly researched, with 10 times the resources being devoted to finding out if there are any problems with GM foods.

Mr. Rooker: I remember that example being raised last August. The fact is that we cannot check on the result of the research because it has not been published. There has been no peer-group review of the research. I understand that, as I stand here, the audit of Dr. Pusztai's work and the comments on that audit are being made available by the Rowett research institute, which has asked the Royal Society in London and Edinburgh to conduct a review; but no one can do a review until the scientists publish their research, so that other scientists can try to repeat the experiments.

Mr. Ian Taylor (Esher and Walton): Does the Minister accept that the only danger from genetically modified foods that are on the market at the moment is that they seem to turn some politicians, scientists and journalists into headless chickens? Can he try to continue what he has done from the Dispatch Box: to get some common sense into the issue?

Of course some genetically modified foods were approved under the last Conservative Government. As the former Minister for Science and Technology, I am proud that they were. Of course, we had talks with companies such as Monsanto and Zeneca. It was of interest to the then Government to know what those companies were doing. Of course we encouraged them to talk to the research institutes. We have spent years trying to get industry to open its research to research institutes. It is foolish now to start pointing them out as case studies of the opposite direction.

Will the Minister please make it clear to the public that there is no such thing as safe food, or completely clear scientific evidence? There is always an element of risk. If more politicians, journalists and scientists put what their findings are at any given moment on some sliding scale of risk, so that the public could understand, we would not have ludicrous scare stories such as have appeared in the past few days.

Mr. Rooker: I am grateful to the hon. Gentleman, who as the former Minister for Science and Technology speaks with some experience. He is right. Some of the stories have been pure scaremongering. A headline yesterday said:

> "Safety fears at 70 sites testing GM crops."

The reality is that 70 sites were being used to test GM crops, four were found to be a problem, and, with two, there is a prosecution tomorrow. There were thus no safety fears at 70 sites testing GM crops; so information is always useful to put across the case.

We will do our best to harness the best of science. We are leaders in Europe in this sector, but we will not take risks with public safety. The foods that are on sale are as safe as the non-GM equivalents. Everyone who has examined them is satisfied that those foods already on the market are as safe as equivalent foods. There is no equivocation about that, notwithstanding the degrees of risk that the hon. Gentleman mentioned. Nothing is safe: even crossing the road is not safe. *[Interruption.]*

Mr. Alan Simpson (Nottingham, South): Before any more Opposition Front Benchers slip away in embarrassment, may I urge the Minister not to take any moral lectures from an Opposition party that, when in government, placed the dogma of deregulation before the duty to public health? I thank him for publishing the list of non-GM crops, which he and I have been talking about since he came to office, but will he address some of the concerns that scientists have recently been trying to flag up?

The first concern is that current benchmarks for the conduct of good scientific research are simply inadequate to deal with the wider issues, which are beginning to be raised by hon. Members on both sides the House. Will my hon. Friend consider strengthening the scientific criteria against which laboratory-based research is conducted, and examine the relevant new issues about when wider releases become an unacceptable risk? However, before doing that, will he ensure that the public are able to exercise more widely their right to decide when it is safe to consume products? Currently, with the best will in the world, we do not have adequate answers to those questions on safety.

Mr. Rooker: I thank my hon. Friend for his question. First, however, as I should have said when initially answering the private notice question, I apologise for the absence today of my right hon. Friend the Minister of Agriculture—who is in Brussels for important bilateral meetings with representatives of other member states, in preparation for probably the most important Agriculture Council in recent years, to be held next week, on reform of the common agricultural policy.

Scientists will always have queries on benchmarks, as science is always moving and will never stay still. GM products are assessed using the method of substantial equivalence. We adhere to that method, which has not only been approved by the World Health Organisation but is used across the European Union.

The Government are served by more than one advisory committee—one of which is the Advisory Committee on Releases to the Environment. However, to ensure that we have the right regulatory process, at the very first meeting of the new Cabinet Committee on Biotechnology in December, we agreed to a Whitehall review of the strengths and weaknesses of the current regulatory process, to determine whether any of the relevant committees should be merged or abolished, or whether a new regulatory system should be imposed. On 17 December 1998, we published the press release announcing the review.

The Government are therefore not simply accepting received policy but are moving on a number of fronts to strengthen policy, in the interests of consumers and of Britain's science base.

Mr. William Cash (Stone): Does the Minister accept that it does not really matter whether those decisions were taken in the 1980s or 1990s, and that the point—whether we are dealing with BSE, human genetic engineering or GM foods—is that consumers will best be served only if we do not leave such matters exclusively, as has increasingly happened, to scientists rather than to politicians and others who have a right, on behalf of their electorate, to participate in the exercise?

Does the Minister not think, therefore, that the suggestion that I made before the previous general election—that there should be an ad hoc Select Committee to examine these issues—remains valid; that it was disgraceful that the Select Committee on Science and Technology sat on that occasion for only one day; that there should now be encouragement for the Select Committee to draw together the various issues—over which there is much confusion, both political and scientific—so that we can get to the bottom of the matter; and that the House, on behalf of consumers and the electorate, should play its part and not simply pass the buck to the scientists?

Mr. Rooker: I can honestly say that I agree with every word that the hon. Gentleman has just uttered. I do not think that these matters should be left exclusively to scientists—which is why, since 1997, lay people have been appointed to sit on every single scientific committee, of which there are about seven or eight, dealing with foods.

Furthermore, lay people are not on the committees to serve as tokens. We encourage them—and the ethicists on committees—to network with each other. The other day, we counted up the numbers, and there were no fewer than 12 ethics specialists serving on the biotechnology committees serving the Government. A non-scientist lay person has been appointed to the Spongiform Encephalopathy Advisory Committee and is not there as a token, either. I entirely agree with the hon. Gentleman, and realise that the Select Committee on Science and Technology will conduct an inquiry—of which I wholly approve, and in which the Government will fully co-operate.

Audrey Wise (Preston): It was good to hear my hon. Friend expose the hypocrisy of Opposition Members. However, will he also accept that there are genuine fears about this type of technology? May I remind him that all the changes in agriculture over the past 20, 30 or more years have been made in the name of progress—all to feed the hungry; all for progress—but have left behind deserts and polluted land and water?

I thank my hon. Friend for his commitment to openness. I urge him to preserve a healthy scepticism. In some cases, by the time that we discover that something is harmful it is too late and we cannot undo the damage.

Mr. Rooker: I am grateful to my hon. Friend for that question. She has identified one reason why there will be no free-for-all on commercial growing. We have to get

[Mr. Rooker]

the agreement of the industry. We do not yet have final approval. The industry's guidelines will stand much better if they have the Government's support. We shall not give our support until we are satisfied. My noble Friend Lord Donoughue and I have sent the guidelines back to the industry four times in the past 12 months because we want them toughened. We are not yet satisfied. We understand that the final version will meet our demands.

My hon. Friend talks about changing agricultural practices. We shall do everything that we can to preserve diversity in agricultural practices. In the next financial year, we shall double the aid available for farmers to convert to organic production. We desperately need more home-produced organic food.

Rev. Martin Smyth (Belfast, South): The press has told us this week that there is a possibility of an outbreak of lung cancer as a result of medication delivered before 1961. Is it not important to be careful about going ahead with certain things without verification? Will the gagging order that we understand has been placed on a certain scientist be lifted so that others can weigh up the issues? We must learn from our mistakes and remember that if a Minister giving his children a hamburger failed to assuage the public's fears in the past, the Prime Minister advocating genetically modified food now will not necessarily assuage current fears.

Mr. Rooker: I have heard about the gagging order only in the press. It is not a gagging order from the Government—indeed, I do not know whether it is a gagging order at all. As I have already said, as I rose to speak today the Rowett research institute was publishing an audit of the work together with comments on the audit, and asking the Royal Society in London and Edinburgh to conduct a review and inquiry.

The research in question has not been published. The Government are not stopping publication. We want the research to be published because we can be confident about the results only if the experiments are repeated by other scientists, as is the norm. No one will be more pleased than me when that happens.

Mrs. Anne Campbell (Cambridge): I assure my hon. Friend that I shall happily eat any genetically modified food that gets through the tough UK regulatory system. Does he agree that it is important to increase public confidence, in view of the hysteria in the press over the past few weeks? Is not the best way to do that to insist on rigorous labelling of foods? Does he find it extraordinary, as I do, that the Conservatives opposed the labelling of food when they were in government, yet they are now responsible for whipping up hysteria?

Mr. Rooker: I have spoken about the history of the issue. When we came to office, this country was following the American policy on GM crops, products and foods. We changed that.

Mr. Alan Clark (Kensington and Chelsea): The Minister generously said that he had no problem with the issue being debated on the Floor of the House. He may remember that the hon. Member for Stoke-on-Trent, North (Ms Walley) initiated a debate on it on Wednesday of the week before last. Presumably she has been sent out of the Chamber for being off-message. When he was answering that debate only two weeks ago, why did he not make the forthright statement that he made this afternoon, particularly the assurances about labelling? Is it not because my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) focused attention on the issue when he questioned the Prime Minister, who clearly knew nothing about it?

Has the Minister seen the Minister for the Cabinet Office giving assurances on television that no member of the Government has any financial interest in this process whatever? Would he think it prudent to advise him not to give such assurances on the Floor of the Chamber, in view of the various family trusts and blind trusts from which Lord Sainsbury benefits and which are closely connected to the supply of genetic food to supermarkets?

Mr. Rooker: The debate to which the right. hon. Gentleman refers took place on 3 February. I invite any hon. Member or observer of these proceedings to read columns 862-64 of *Hansard*—my ten-minute winding-up speech in that debate—and point to any issue that I have not mentioned today. In fact, I was tempted to repeat that speech word for word in answer to the PNQ today, but I thought that would take too long.

I respect profoundly the stand that the right hon. Gentleman has taken on many issues, but what he has said today is totally and utterly wrong. I have said nothing different today from what I said in answer to that debate. I have also had the opportunity to answer some parliamentary questions. I do not accept his attack on Lord Sainsbury; the facts do not bear it out.

Points of Order

4.6 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Through no fault of yours, we did not get to any question that related to the on-going bombing and humanitarian crisis in Iraq. It was no fault of yours that we did not reach Question 19. However, in view of this country possibly being, in effect, at war, should not there have been a statement as to exactly what the position is? Sooner or later, there will be a crisis of one form or another; possibly, heaven help us, a Tornado either malfunctioning or being shot down over Iraq, with consequences that are too awful to contemplate. Should not there be an opportunity for a report on the situation?

Madam Speaker: I regret very much that we were not able to reach Question 19 today; I had hoped that we could do so. As the hon. Gentleman says, that was the first question relating to Iraq, in which I know that he has an interest. I have not been informed that the Government are seeking to make any statement on the issue. No doubt those on the Government Front Bench will have heard the hon. Gentleman's point of order; he raised a similar one only yesterday. Perhaps they will make note of it, and report it to the appropriate Department.

Mr. Norman Baker (Lewes): On a point of order, Madam Speaker. The Minister of State, Ministry of Agriculture, Fisheries and Food is still in the Chamber. Could he confirm that Dr. Pusztai sent copies of his documentation—

Madam Speaker: Order. That is not a point of order. I think that the hon. Gentleman is attempting to extend the PNQ. I know that he was trying to catch my eye; hard luck—try again some time.

Mr. Nicholas Soames (Mid-Sussex): Further to the point of order from the hon. Member for Linlithgow (Mr. Dalyell), Madam Speaker. May I associate myself with his remarks? As it appears that RAF aircraft have been in action regularly recently, would it not be sensible for the Secretary of State for Defence to do what he did earlier and write to all hon. Members, given there is no time for a statement ahead of the recess to tell them exactly where we stand?

Madam Speaker: That is not a point of order, but a suggestion for the Secretary of State. Perhaps the hon. Gentleman might like to telephone the Secretary of State's office and put that point to him.

Age Limits on Health Care

4.8 pm

Dr. Vincent Cable (Twickenham): I beg to move,

That leave be given to bring in a Bill to amend the National Health Service (Primary Care) Act 1997 to prohibit the refusal or delay of treatment on the basis of age; and to establish an inquiry into the prevalence of age discrimination in the National Health Service.

I recognise that the Bill deals with a sensitive issue, and I propose it because I have been persuaded by organisations directly concerned with the aged—notably Age Concern, which has given me a great deal of help with the Bill—that there is a serious problem. That concern has been echoed by the Royal College of Nursing and the Chartered Institute of Physiotherapists, which also support the Bill.

The problem originates in the fact that we have an aging population, with a growing number of people over 65 using the NHS; they now account for 40 per cent.—and rising—of its budget. The NHS is, and always has been, constrained in its resources. There is growing fear, and evidence, that resources are being withdrawn from patients on the basis of age alone.

I stress that I present the Bill in a positive spirit. I am not here to point fingers or suggest that clinicians are behaving improperly, and I make no implied criticism of the Government or the previous Government. Indeed, the problem arises for positive reasons: because the NHS has been so successful in extending life, a growing number of people encounter the diseases of old age.

There has also been much advance over recent years in the treatment of the elderly in the NHS. I vividly recall one of my first jobs in the mid-1960s, working in the geriatric ward of a mental hospital. It was an horrific experience to see a large circle of old people, mainly ladies, sitting and looking at each other, inert, immobile and effectively waiting to die.

That contrasts with what happens today in the geriatric mental ward in St. John's in Twickenham and, I am sure, in many other places, where there are much better staff ratios and a much more professional and positive approach; it is a different universe. None the less, there is a serious problem, because there is a large gulf between the official policy on age in the NHS and what happens in practice.

The official position, as declared in the ethical statement of the General Medical Council, is that there should be no discrimination on age or any other grounds. That has been repeatedly echoed in the House. The former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), when asked about the problem in 1994, said that it was undoubtedly the policy that the NHS should in no way discriminate on grounds of age. I am sure that the present Prime Minister would say the same.

Unfortunately, there is evidence that a great deal of such discrimination occurs in practice. NHS trusts run cardiac rehabilitation programmes, helping people who have had heart attacks—the same applies to strokes—to become mobile and independent again. I use this example because there is not much research on age discrimination in the NHS, but three recent studies on those programmes have shown clearly that, in 40 per cent. of them, an age bar is explicitly applied. People over 65 or 70—in some cases, 60—are specifically precluded from benefiting because they are too old, and for no other reason.

[Dr. Vincent Cable]

That is not only discriminatory, it is perverse in medical terms. If those people are helped to become more mobile and independent, they are less of a burden on social services when they leave hospital and costs are reduced. We are not talking about high-tech medicine: the programmes are relatively cheap.

Another example of discrimination is more emotive: screening for breast cancer. A great deal of attention has been given to the matter in an attempt to make the screening more comprehensive, but it is still the case that women over 65 are not invited to be screened, despite the evidence that two thirds of the women who die from breast cancer are over 65, and all the medical evidence shows that they benefit just as much as younger women from early detection and treatment. The implicit assumption is that their lives are less worth while.

Another example is more widely recognised. For many years, it was extremely difficult for elderly people to get access to kidney dialysis treatment, although again the medical evidence is that they can benefit from it as much as younger people. The problem has become a little easier, but the most recent evidence that I have seen suggests that only about one in eight of the people recommended for kidney dialysis is able to get access to the treatment.

Alzheimer's disease is a growing problem. At present, about 700,000 people have it, and the total will be well over 1 million in a decade. A chilling statistic is that one in five of people who live through their 70s will contract Alzheimer's disease. The death last week of Iris Murdoch will have reminded people of what the disease does to even the finest brain: sufferers lose their faculties, memory and dignity.

Yet Alzheimer's disease can be stopped. Drugs have been developed that can cure at least half of all cases, but they are being made available in only a relatively limited number of NHS trusts. The reason is primarily one of cost, although that again is a false economy: the £1,000 that a course of the relevant drugs costs is small compared with what people who are allowed to degenerate because of the disease cost their carers in the community.

To round off this list of anecdotes—to which I am sure that all hon. Members could add from their own experience—I shall offer an example that may be more trivial but that illustrates the mentality underlying the problem. Not long after taking office, the Government introduced a consultation paper called "Our Healthier Nation". It was quite enlightened, and was concerned with promoting fitness as a way to prevent ill health. However, it contained no reference to fitness targets for people over 65, and I asked a series of questions to find out why. The answers from Ministers revealed a complete lack of comprehension about why people over 65 might want to keep fit. It was assumed that such people were sedentary and that fitness was of no interest to them.

There are two elements to the underlying problem. The first has to do with economics—and rather bad economics at that. Health service trusts and clinicians, being strapped for cash, assume that one way to save cash is to withdraw treatment—especially expensive treatment—from elderly patients. In many cases, that is a false economy, as the costs then fall on carers and local social services departments.

However, the second element of the problem goes beyond economics and might be called a question of ideology, although it does not involve the ideology of left and right. It is the belief that most people share—I do not think that we are especially enlightened in this respect—that we are all entitled to a lifespan of three score years and ten. The belief probably derives from religion.

When my father died, 10 years ago, he had been prematurely evicted from hospital, and I am sure that that is why he died. It caused him to lose several years of doing what he loved most, which happened to be helping the Conservative party. I was angry about my father's premature death, but he was philosophical, saying that he had lived for 70 years and saw no reason to create a fuss. However, I think that he was wrong. Nothing binds us to Old Testament arithmetic: people now can—and should—live much longer. The question is whether they should live longer as fit and well people.

I have introduced the Bill to preclude discrimination in the NHS on grounds of age, to stimulate debate and to promote research on the subject.

Question put and agreed to.

Bill ordered to be brought in by Dr. Vincent Cable, Mr. David Atkinson, Mr. Paul Burstow, Dr. Peter Brand, Dr. Evan Harris, Mr. Simon Hughes, Mr. Tim Loughton, Mr. Edward O'Hara, Ms Linda Perham, Mr. Andrew Rowe, Mr. David Winnick and Mr. Ieuan Wyn Jones.

AGE LIMITS ON HEALTH CARE

Dr. Vincent Cable accordingly presented a Bill to amend the National Health Service (Primary Care) Act 1997 to prohibit the refusal or delay of treatment on the basis of age; and to establish an inquiry into the prevalence of age discrimination in the National Health Service: And the same was read the First time; and ordered to be read a Second time on Friday 28 March, and to be printed [Bill 48].

Orders of the Day

House of Lords Bill

Considered in Committee [Progress, 15 February].

[MR. MICHAEL LORD *in the Chair*]

Clause 1

EXCLUSION OF HEREDITARY PEERS

Amendment proposed [15 February]: No. 2, in page 1, line 6, at the end to add the words

'except that—

(a) 75 hereditary peers shall be elected as members of the House of Lords in accordance with subsection (2)

(b) 14 hereditary peers shall be elected as members of the House of Lords in accordance with subsection (3)

(c) the Lord Great Chamberlain and the Earl Marshal shall be members of the House of Lords.

(2) The electors for the purposes of subsection (1)(a) shall be the holders of a hereditary peerage.

(3) The electors for the purposes of subsection (1)(b) shall be the members of the House of Lords.

(4) The Secretary of State may by order make such provision about the conduct of the elections under this section as he considers appropriate.

(5) No order under this section shall be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament.'—[*Mrs. Laing.*]

4.21 pm

Question again proposed, That the amendment be made.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): I remind the Committee that, with this, we are discussing the following amendments: No. 3, in page 1, line 6, at end add

', unless he or she is the first holder of a hereditary peerage.'

No. 25, in page 1, line 6, at end insert

'and any transitional arrangement enabling certain hereditary peers to continue their membership of that House shall cease to have effect on the expiry of the period of twelve months from the date of publication of the final report of the Joint Committee of both Houses of Parliament announced in Command Paper No. 4183'.

No. 16, in clause 4, page 1, line 14, leave out from 'force' to end of line and insert

'on a date not less than six months after the passing of this Act nominated by the Secretary of State'.

No. 17, in page 1, line 16, leave out 'Session' and insert 'date'.

No. 18, in page 1, line 16, at end insert—

'(2A) Prior to nominating a date for the coming into force of this Act the Secretary of State shall make inquiry and lay a report before both Houses of Parliament, setting out the names of all current hereditary peers who have played a significant role in the workings of the House of Lords during the ten years preceding the passing of this Act; and such hereditary peers shall be entitled to remain members of the House of Lords, pending the enactment of proposals for the wider reform of the House of Lords following the report of the Royal Commission and public consultation concerning its proposals.'.

New clause 12—PEERAGE OF SCOTLAND—

'(1) Nothing in this Act shall be taken to prevent sixteen peers from the peerage of Scotland from voting in the House of Lords.'.

No. 19, in title, line 1, leave out 'End' and insert 'Restrict'.

Mr. Desmond Swayne (New Forest, West): It would be folly to repeat the arguments made so eloquently, forcefully and passionately yesterday by my hon. Friend the Member for Epping Forest (Mrs. Laing), but I wish to reflect on some of the points that arose from her speech. She claimed no originality for amendment No. 2. Indeed, Labour Members suggested that it was in fact the Weatherill amendment.

Whatever its genesis may have been, the amendment has become the Alastair Campbell amendment, for it is quite clearly the amendment that the Government suggest, in chapter 5 of the White Paper, that they would be minded to accept. It is extraordinary that an amendment should be owned, in a sense, by a member of the Executive who has no place in either part of the legislature, but that is a measure of the pass to which we have come, and for which the Bill should be something of a remedy.

There appears to be a contradiction in the motives behind the amendment, for which, incidentally, I have no great enthusiasm. I accept my hon. Friend's point that the amendment will make a bad Bill marginally better. However, I believe that the Government intend the Bill to last for a long time, and I am keen to see the amendment carried only so that the settlement that arises from the Bill may be marginally better than it would otherwise be.

Last night, the Committee heard several Labour Members complaining that the opposite was the case, and that the arrangements that we are debating are for a transitional period. To me, the important transitional arrangement will be that made between this afternoon, when Labour Members vote against the amendment, and the day on which the same Members will vote for it when returns as a Lords amendment. They may comfort themselves with the thought that these are just transitional arrangements.

Mr. Nick Hawkins (Surrey Heath): I share my hon. Friend's concern about that transition, but he could go further. Given that the amendment is in fact the Alastair Campbell amendment, is it not interesting that the Government Whips will force Labour Members—most of them, at any rate—to vote against the amendment today but for it when it returns? That shows both the extent to which Parliament is being bypassed and to which Labour Members are simply Lobby fodder.

Mr. Swayne: That is true. Labour Members, who hope merely for a transitional stage, are trusting a great deal to the Executive. In effect, they are writing a blank cheque. I have no doubt that the arrangements that are being put in place are made to last rather than to be transitory.

The Government have said that there is urgency about proceedings on the Bill. Surely, if there were any urgency, the royal commission would have been set up 20 months ago and we would now be discussing its findings and putting in place the stage 2 reforms. The very fact that that is not the case leads me to suspect that the arrangements are built to last. Curiously, I support the

[Mr. Swayne]

amendment for that reason—so that the arrangements that are put in place, which I fear will last, are better than they would otherwise have been had the Bill been unamended.

Labour Members will finally vote for the amendment, when it comes back from the other place, for precisely the opposite motive. They will be voting for it in the hope that the arrangements will be transitory. It is curious that both sides of the House will at some stage end up voting for the provisions of the amendment for different motives.

I hope that Labour Members will be proved correct and that the arrangements will be transitory. In many ways, I have little enthusiasm for the amendment, although it bears my name among others. It would improve the situation, but the state of affairs is far from satisfactory. What is least satisfactory about it is that Back-Bench Conservative Members have tabled the amendment; it should have been the Government. In a sense, we have provided a service to the House by allowing it the benefit of line-by-line scrutiny of the amendment in Committee. Otherwise, the Bill would have ended up in much the same state as it is in now. I regard that as regrettable indeed.

Mr. Peter Mandelson (Hartlepool): As debate on the amendment has continued, it has become increasingly clear that the Opposition are trying to flog a very dead horse and are doing so at inordinate length. That serves as a good example and a good taste of what the Government would have faced in the House of Lords had they not done precisely what they are doing, which is to create an arrangement whereby they can fulfil two objectives.

Those objectives are simple and straightforward: the first is to secure the passage of the Bill as expeditiously as we can; the second is to do so in such a way as to protect the rest of the Government's programme. The Government and, in particular, my right hon. Friend the Leader of the House, carry that dual responsibility. In the debate yesterday, the attacks of the right hon. Member for South Norfolk (Mr. MacGregor) on my right hon. Friend, tearing into her and accusing her of astonishing and intolerable hypocrisy, smacked of enormous humbug. She is doing precisely what he would have done had he been in her position, given that he would bear exactly the same responsibility, which is to ensure the passage of this Bill as well as to protect the rest of the Government's programme. The facts of political life are that, if we are not careful, we may achieve only objective 1 at the expense of objective 2, unless we can obtain the good will of the other place.

4.30 pm

The reason why we have to go to some length to secure the good will of the other place in the passage of the legislation goes to the heart of one of the reasons why the Bill has been introduced in the first place, which is that, as we all know, the Conservative party has an in-built 3:1 majority against us in the other place. No matter what we do, no matter what we introduce and no matter how valid and well-drafted the legislation, if the Conservative party wants to, it can wheel out its battalions and stop the Labour Government carrying out their will, fulfilling their mandate and implementing their manifesto. It is to meet that potential obstruction that we have to take the measures that we are taking.

Dr. Liam Fox (Woodspring): Will the right hon. Gentleman tell us what proportion of peers in the other place take the Conservative Whip? How many, as a proportion of the other House as a whole, do so?

Mr. Mandelson: We hear constant rehearsal of that facetious and ridiculous point. If the Conservative Front Benchers are the only people in this country who do not understand and recognise that, one after another and time after time, so-called independent peers hear the arguments independently, weigh up those arguments independently, arrive at their views and their judgments independently and then vote Conservative independently, they must be the only people who are in such a state of self-delusion.

Dr. Fox: Will the right hon. Gentleman give way?

Mr. Mandelson: No—the hon. Gentleman made his point, but failed to do so satisfactorily.

It is precisely for that reason that Lord Cranborne and Lord Strathclyde decided that to give hereditary peers and their allies such an opportunity to frustrate the democratic will and the Government's mandate and manifesto would be an unacceptable use of unaccountable power by those Members of the other place. They recognised that the Government had a mandate and so, in a spirit of compromise on their part, they secured a small, temporary return as the price for our and their good will. That is a perfectly straightforward matter.

That is why I have no compunction and no hesitation about saying that I, along with the bulk of my right hon. and hon. Friends, will both vote against the amendment as it is proposed today and vote in favour of it on a future occasion, if it is offered to us to do so. That amendment in the other place will have been agreed as the price of the good will and the spirit of compromise that joins both Labour Members and those Conservatives who are democrats, who want it to be clearly demonstrated to the public that, when the Government have a mandate to implement a commitment in the manifesto on which they have been elected, they will be given the means and the power to do so.

Sir Patrick Cormack (South Staffordshire): I have not heard such unadulterated humbug for a long time. Why cannot the right hon. Gentleman secure that good will by voting for the amendment tonight? Surely those in the other place who want the amendment to be made will be happy if we do it for them.

Mr. Mandelson: Let me put it bluntly: the price of accepting the amendment will be the peers' good will and their commitment to ensuring the passage of the Bill through the other place without it being strung out, impeded, frustrated and filibustered in the way that some Conservative Members, as their behaviour demonstrates, appear determined to do in this place. We are simply not going to give them the opportunity to do that, and we deny them that opportunity in agreement with, and with the good will and commitment of, many members of the other place who take the Conservative Whip and who do not want to be seen to behave in as undemocratic a manner as some Conservative Members of this place appear determined to behave.

Sir Patrick Cormack: Will the right hon. Gentleman define, for the benefit of the Committee, consistency and blackmail?

Mr. Mandelson: If I thought it remotely relevant to my argument, I would do so. I recall the right hon. Member for South Norfolk yesterday accusing my right hon. Friend the Leader of the House of bully-girl tactics. Save for the change of gender, the hon. Member for South Staffordshire (Sir P. Cormack) would have to take exactly the same precaution as that taken by my right hon. Friend if he were faced, in the other place, with that built-in 3:1 majority against his party and its manifesto, which some Opposition Members would clearly like the Lords to deploy if they have the opportunity.

Mr. James Clappison (Hertsmere): Will the right hon. Gentleman give way?

Mr. Mandelson: No, I see no point in stringing out this argument any longer.

Of course we want to secure the Bill's passage and protect the rest of our legislation, which contains important measures concerning the fight against crime, the improvement of the health service, raising educational standards and industrial policies. Those myriad measures are absolutely essential for improving and transforming our society and economy. It is the duty of Labour Members to ensure that all those measures pass through both Houses of Parliament. It is precisely in order to do so that we are prepared to take the amendment at face value if it is moved and made in the other place and to agree to it in this House as the temporary and small price of securing good will for the passage of the rest of our legislation.

Mr. Tony McWalter (Hemel Hempstead): Will my right hon. Friend confirm that, if we were to make the amendment today, their lordships might find other ways of trying to rescue another 91 of their Members, as well as employing all the procedural devices that he has outlined?

Mr. Mandelson: My hon. Friend touches on an important point, which makes it all the more important for us, in rejecting the amendment today, to give those in the other place, if they wish to make the amendment, the added incentive to allow us to protect the rest of our programme. I am sure that, as democrats, they will be happy to do so.

Mrs. Eleanor Laing (Epping Forest): Will the right hon. Gentleman confirm that he and his colleagues are creating a significant precedent in sacrificing the democratic rights of this House to discuss a measure that is an important part of a Bill in order effectively to blackmail the other House?

Mr. Mandelson: I do not know how we are jeopardising anyone's democratic rights, given that the amendment has been moved and we have been discussing it at inordinate and ridiculous length. We shall then exercise our democratic right—at least on this side of the Committee—to vote against it. We shall then give Members of the other place the chance to exercise their democratic right to consider the amendment if they wish to table it and vote for or against it. If they vote for it, we shall then be able to exercise our further democratic right to vote for or against it when it returns to this place. That is called democracy: exercising one's right to vote. We are doing that in a way that will ensure the Bill's safe passage as well as the protection of our programme, which consists of important measures that, at the last general election, we were elected to implement.

Mr. Clappison: I welcome the opportunity to make a brief contribution to the debate, which was opened by my hon. Friend the Member for Epping Forest (Mrs. Laing) with an excellent, powerful, well argued speech.

I listened with interest to the arguments made by the right hon. Member for Hartlepool (Mr. Mandelson); I appreciate the fact that he wanted to express to the Committee his views on this matter. I am slightly disappointed, however, that he did not say anything newer and more interesting than the authorised version that he presented to us. With his knowledge of such matters, it would have been interesting—I would have said this in an intervention if the right hon. Gentleman had been prepared to give way—to hear how long he considers that the transitional phase will last, and what he would like to happen at the end of it.

It was interesting to compare the speech by the right hon. Member for Hartlepool with the almost identical speech by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan). I must say to both right hon. Gentlemen—especially the former—that I disagree with their view of the role of the Committee of this House in all these matters. Why on earth cannot we debate this amendment now? [HON. MEMBERS: "We are."] That is only because the amendment was moved by my hon. Friend the Member for Epping Forest. If the Government had had their way, we would have had no opportunity to debate the matter.

Mr. Mandelson: Will the hon. Gentleman give way?

Mr. Clappison: I give way to the right hon. Gentleman, although he did not do me the courtesy of giving way.

Mr. Mandelson: What does the hon. Gentleman think we are doing if we are not debating this now? Moreover, if this debate is so fundamental to the passage of the legislation, will he please explain why it has not been initiated by Conservative Front-Bench spokesmen?

Mr. Clappison: In her opening speech, my hon. Friend the Member for Epping Forest clarified the position on that. She moved the amendment, and both the right hon. Member for Hartlepool and the Liberal Democrats have tried, in effect, to bypass the Committee and say that it was very wrong of us to debate the matter now.

The President of the Council has been very coy, talking about

"a proposal that may be put in another place".—[*Official Report*, 15 February 1999; Vol. 325, c. 685.]

[Mr. Clappison]

It is hardly a state secret that something like that will happen. It is hardly hanging in the balance, with everything to play for. The Government's White Paper states that such an amendment may well be tabled in the other place. There has been speculation on the subject in all the newspapers and throughout the media. That being the case, why cannot we have a debate now, in the Committee of this House, before the matter is debated in another place? The right hon. Member for Hartlepool accuses us of filibustering when hardly a word has been said.

The Government have adopted a curious position on this subject. In yesterday's debate, we were repeatedly met by what I regard as counsels of perfection from Labour Members, with continual attacks on the hereditary principle, the number of Conservative peers and of Conservative hereditary peers. We have covered the background to this issue; we have discussed custard pie manufacturers, turkey breeders and people who did favours for Charles II.

I understand the arguments that Labour Members are making, but I believe that the problem in the amendment—for them and for the Government—lies in the way in which the Government are approaching the matter. On Second Reading, the President of the Council launched an all-out assault on the hereditary principle. She did so with some relish—I understand that she may have personal views on the matter—but it must be strange for members of the Government to understand that, after all that, we have reached a position where the Government may be minded to accept an amendment in future that will allow for a significant number of hereditary peers in the House of Lords: up to 91 of them.

On Second Reading, the President of the Council appeared to set things out as a matter of principle, when she said:

> "if one went to the airport and was told that the pilot did not himself have a pilot's licence, but that there was no need to worry because his grandfather had a licence, one simply would not get on the plane." —[*Official Report*, 1 February 1999; Vol. 324, c. 611.]

What the right hon. Lady and the Government are now saying is that if one goes to the airport, one will meet someone who will say, "I cannot fly the plane, but the grandfather of that chap over there is a pilot, so he can come in and fly the plane." That is the point. Let us face it, every single one of those 91 peers is—

Mr. Andrew Stunell (Hazel Grove): Does the hon. Gentleman not understand that, in politics, one puts forward one's preferred option but may give notice that, in future, one might accept a second-best option? Is that not what Conservative Members are doing by moving this amendment, which they themselves say that they think is second best to maintaining the status quo? Is not that exactly what the Government and the Liberal Democrats are doing by signalling that this might be an acceptable amendment in future?

Mr. Clappison: The problem that Liberal Democrats and Ministers must face is that, in all this, the Government have argued, "This is the first-best solution." The hon. Gentleman will have to answer the question, for how long will the proposed arrangement continue?

My hon. Friend the Member for Epping Forest did the House a service by bringing before the House the subject of the election in the House of Lords. How strange that election—an election of hereditary peers—will be!

4.45 pm

It is the only election that will occur because the other peers will be appointed. At the end of the day, we face the prospect that a substantial number of hereditary peers will remain in the House of Lords. Labour Members must face that fact. It may be, as the right hon. Member for Chesterfield (Mr. Benn) said, that those peers will receive the Prime Minister's blessing. However, they will not be genetically modified: they will remain hereditary peers.

In her speech on Second Reading, the President of the Council referred to the Earl of Dunmore, who travelled from Australia to take his seat in the House of Lords. The Government are saying to the Earl of Dunmore and to all other foreign residents of his ilk, "Sorry, chaps, you cannot come and sit and vote in the House of Lords any longer. But we will let you come along and choose other hereditary peers who can sit and vote in the House of Lords". I am looking forward to seeing how the procedure will work—particularly how the 62 hereditary peers resident overseas will choose other hereditary peers to sit in the House of Lords. That will be very interesting.

Perhaps there will be some sort of "Blind Date in Ermine". There might be a "Lonely Peers" column in the House of Lords, which could read, "Foreign peer with villa in Tuscany seeks British peer with shooting in Scotland". That is what we could be reduced to. That is the sort of selection process that we face, and my hon. Friend the Member for Epping Forest has done the Committee a service by highlighting it. Who is to say how long this state of affairs will continue? It may be that the earls, viscounts, marquesses and dukes will sit in the House of Lords for a considerable time.

I read with interest the Government's account of the history of this matter this century. There have been three attempts to solve the problem of the House of Lords. In 1917—the first of three occasions when reform was debated—the Bryce committee produced far more detailed proposals that went much further than the present proposal. The Government say bluntly in their White Paper that, after the proposals were formulated:

> "No time was found during the 1920s to put them before Parliament."

Hon. Members must ask how long this proposed arrangement will last. As long as it does, I venture to suggest that we will have a tame and unsatisfactory second Chamber—it will certainly not be capable of robust scrutiny of the Government. The second Chamber will comprise a substantial number of additional Government appointees, hereditary peers and what are described as "independent" peers. We know that they will be independent because they will be appointed by the Appointments Commission—a Government body—which will tell us that they are independent peers.

We will have a tame second Chamber when we need a robust one, but I am sure that that is an entirely unintended consequence of reform. We know how much this Government—more than any other—welcome robust scrutiny of their activities. This Government look forward to challenging and vigorous debate and scrutiny.

so a tame second Chamber is an entirely unforeseen consequence. I suppose that it is also wholly unintended that the Government's proposals include a formula that will provide for a vast increase in Prime Ministerial patronage. The Prime Minister has already created 105 life peers and he will also appoint the Appointments Commission. Under the reform, the formula for appointing peers will allow the Prime Minister to create enough peers to achieve parity with Conservative party peers. That means creating enough additional peers not only to overcome the small deficiency—

The Second Deputy Chairman: Order. The hon. Member for Hertsmere (Mr. Clappison) is straying into the next group of amendments. I would be grateful if he would return to the amendments currently before the Committee.

Mr. Clappison: I shall certainly follow your strictures, Mr. Lord. The Government must face the fact that they will exercise patronage by creating Labour peers to compensate for the 91 hereditary peers who will also be appointed to the second Chamber.

In conclusion, I believe that my hon. Friend the Member for Epping Forest has done the Committee a great service: this reform is not rooted in principle, it is not built to last, and it does not do what it purports to do. It may therefore meet every requirement of a new Labour reform, but it is not good for our constitution as it would produce a thoroughly unsatisfactory second Chamber. My hon. Friend makes a powerful case in her amendment.

Dr. George Turner (North-West Norfolk): A fellow Norfolk Member, the right hon. Member for South Norfolk (Mr. MacGregor), seemed puzzled that Labour Back Benchers might be happy to vote against the amendment today, but might be willing further to consider the position later.

In the many years before I came to the House, I learned not to trust the Conservative party. My goodness, I and other Back Benchers have found good reason not to trust the Conservative supporters in the House of Lords since we have been here. I shall be happy if the Bill comes back from the Lords essentially in its present form, and we bring about the abolition of the hereditary principle in the second Chamber. I am sure many other Back Benchers share that view.

If there is still mischief in the Lords, it is important that, through the Parliament Act, we can ensure that the Bill is enforced and we achieve our objective. That is why I shall be happy to vote against the amendments, and why I would be happiest if the Bill remained in its present form. For decades the hereditary principle in the House of Lords has been recognised as unsupportable, so we need waste little time discussing its abolition.

I listened with care to the speeches of right hon. and hon. Members who have been here much longer than I, especially the remarks of my right hon. Friend the Member for Chesterfield (Mr. Benn), who pointed out the future dangers if we vote against the amendment now, but are in principle willing to accept it.

The Committee deserves to know why we would be willing to support a Government compromise. The answer is, bluntly, not for the sake of compromise, or because that is what we want, but because we ask ourselves what the alternative is. Most of us came here to deliver the manifesto on which we were elected. Having seen the extent to which, in the first 18 months, the other place succeeded in thwarting the Government's intent and in delaying Government Bills, I wonder what would have happened in the Government's last 18 months if we had gone on in the same way. Undoubtedly, the closer to the election of 1997, the greater the Government's mandate and the stronger the authority for this place to impose its will on the other place.

I am confident that if we had not addressed the issue now and with firmness, the Conservative party, through its unelected, unrepresentative majority in the House of Lords, would have thwarted the Government's intent to deliver on their manifesto. If we had not taken a firm stance in this Session, there would have been further shenanigans, delays and filibustering in the other place.

I say to my right hon. and hon. Friends on the Front Bench that if they have to compromise in another place, we shall support them from the Back Benches because we want the Government to make progress on the more important matters—education, health, the reform of local government and so on. Those are the matters that affect my constituents and on which progress will be thwarted if we do not act firmly on an issue that figures little in my constituency mailbag, because my constituents do not have to deal with the problems that we encounter day in, day out in the House.

On behalf of my constituents, therefore, I shall vote against the amendment. I hope that the Bill will return without a similar amendment, but if that will allow us to get on with the more important business, I shall understand if my colleagues on the Front Bench are willing to compromise. Let us make sure that we get a good deal, and that those in the other place display an attitude of collaboration and co-operation in the best interests of the British people, not in the best interests of the British Conservative party.

Mr. Mike Hancock (Portsmouth, South): I should like to offer Conservative Front Benchers an opportunity to clear up one or two things. In common with the right hon. Member for Chesterfield (Mr. Benn), I thought that the hon. Member for Epping Forest (Mrs. Laing) spoke with a lot of passion, but I cannot share his assumption that her speech had a certain charm and that the merits of her arguments had a certain compulsion. Those qualities certainly were not present, and sadly lacking was an explanation of why the amendment had been tabled by Conservative Back Benchers, not Front Benchers.

I should willingly give way to a Conservative Front Bencher who would explain to me, to the Committee and to the country whether those on that Front Bench will support the amendment. If they are to support it, why was Cranborne sacked? Surely this is all about trying to put together a political arrangement, using tactics, to make a measure work.

Dr. Fox: I will happily put the Committee out of its misery, faced with this particularly puerile line of questioning. Conservative Front Benchers will support the amendment, and Lord Cranborne was not sacked because of anything to do with the substance of the agreement, but for trying to negotiate away the Opposition's ability to oppose the Government in the other place.

Mr. Hancock: That is an interesting spin to put on it; as a turn of phrase on a set of circumstances, the right

[Mr. Hancock]

hon. Member for Hartlepool (Mr. Mandelson) would have been hard pressed to better that one. How right the right hon. Gentleman was to spell out the issues, and I share entirely many of his sentiments about the way in which this matter has been handled. Conservative Members seem to have a fixation that we have not had a chance to debate it, but that is absolute nonsense. About a dozen hon. Members have already participated in the debate on the amendment.

Conservative Members have talked about the lack of democracy and the lack of consultation, and what they would have done. The right hon. Member for Hartlepool was right to draw the comparison between what is being done now and what would have happened in the past, but he missed the subtle difference. I remember what happened in the past, when another major constitutional change—the abolition of the Greater London council and the metropolitan counties—was made. That change was not only put through the House in similar fashion to this measure, but there was a guillotine—not only in the Chamber, but in Committee, night after night. The results of consultation were not listened to.

Yesterday I heard gasps of, "Humbug, humbug, humbug", about what was going on, but Conservative Members have short memories about what they were up to in their previous existence in government. They certainly never listened too hard to the various consultation exercises that took place about the three reorganisations of local government that I have experienced in a 30-year career in local government. They never listened once to the people of Hampshire, or to the people of London, when they campaigned on the reorganisation of local government. Why on earth should they be listened to now?

It is heartening for hon. Members such as myself, who won Conservative seats, to see how many Conservative Members are going to the wire to defend the hereditary system in the House of Lords.

Mr. Nigel Evans (Ribble Valley): Does the hon. Gentleman not think that it is sad, particularly for his constituents, that he has given up his role in opposition and become part of the Government coalition? Is it not about time that he started opposing the Government, not backing them at every turn?

Mr. Hancock: The hon. Gentleman makes a good point, and I am grateful for the lead, because I am with the right hon. Member for Chesterfield. I hope that we reject the amendment—not only tonight, but when it comes back to the House, because I am in favour of the big bang philosophy. I want the serious constitutional imagination suggested by the hon. Member for Cannock Chase (Dr. Wright) to be adopted, and, as a starting point, I want that to start and finish with a democratically elected second Chamber. I do not want compromise, I do not want fudge; I want the system to be changed, which is why I will vote against the amendment.

Mr. Dominic Grieve (Beaconsfield): Does the hon. Gentleman not agree that the only reason that we are even discussing phase 2 of the reform is that the Government have been put under pressure not to introduce a simple Bill to remove the hereditary peers and nothing else to reform the upper House?

Mr. Hancock: No, not at all; that is not the reason. The hon. Gentleman has missed the point of what has been going on for the past 18 months. We are using a political tactic to get a Bill through the House without sacrificing a whole raft of legislation, and much needed changes to legislation, which the nation needs.

Conservative Member after Conservative Member said yesterday that the measure is not a high priority for the people of this country. How right they are. However, it is a high priority of the House to establish a democratically elected second Chamber.

5 pm

The Government have had to balance the necessity to get much needed legislation through Parliament to achieve improvements in education, health, social services and in many other areas with the need to avoid it being wrecked by an unelected, undemocratic other Chamber. The Conservative Opposition could not have failed to grasp that point. To do that, the Government have had to come up with a political compromise. I do not like it, and I am sure that few people in the Committee do.

It is interesting that a succession of Conservative Members have tried to support the hereditary system. The gay cavalier from Aldershot acknowledged the fact that he was right behind them; I can imagine him leading the charge to bring back hereditary peers. Sadly, the hon. Member for Aldershot (Mr. Howarth) is not present to continue his campaign.

Some Conservative Members, however, said that they did not like the current system, but that they wanted to get a few more hereditary peers kept on the books. I was somewhat confused about the spin they put on it. They wanted us to remember those people who do good work, all of whom we have met at some time or another. We meet them in parliamentary Committees and at outside organisations, and we know of the work they do. No one is under-selling the case that much good work is done by many good people who will no longer be Members of Parliament. The same could apply to this place. Yesterday, we argued against the idea of people being allowed to speak but not to vote. Hon. Members immediately reacted against the suggestion that that should apply in this place. It was nonsense, and it exposed the nonsense of trying to do the same in the other place.

The price of change is that some people will lose out. Any democratic process will encounter that problem, and people will be disappointed by the results at the ballot box. We have waited for the Government of this country to be decided universally by the ballot box for both Chambers.

I assume that if the people whom I represent were asked, they would not place this measure high on their list of priorities, but most of them would place it on a list of things that need to be done. The Conservative Opposition are fixated on the length of time that this process of reform will last. It was suggested that it could take several Parliaments or even decades. My hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis) asked what was meant by "decades"? If taken to its ultimate conclusion, it could mean another millennium.

I do not know what evidence there is for hon. Members to hold that view. It is a terror tactic. That has been a familiar trait of the Conservative party in local government, and Lady Thatcher exposed the nation to such tactics when she gave the worst case scenario. She could then, with a defter and softer touch, say, "What a good job we've done. We told you that it could be that bad, but we have delivered this." It is a simple tactic used by the Conservatives to stir up the fear that the proposed reformed second Chamber will remain for generations to come. I do not believe that to be case. It is not in the Government's interest to allow us to wallow in that pitiful situation.

I want us to make progress and to reject this amendment and the others. What we really want is imaginative constitutional reform delivered to the people of this country with a deftness of touch, in the shortest possible time. If we do that, we will all be thanked by not only the present generation, but future generations.

Mr. Martin Linton (Battersea): I object to the survival of any hereditary peers, even in this transitional second Chamber. It is not personal: I am not against any of the present incumbents. It is a pure point of principle. Many Conservative Members seem to have trouble coming to terms with that. I have counted the number of hon. Members who say that they are in favour of the hereditary principle and those who say they are against it. The hon. Member for Epping Forest (Mrs. Laing) said that she was against it, but it is clear that the amendment hides a deep division among Opposition Members.

I would accept the amendment only in exchange for a clear and tangible benefit. The hon. Member for Hertsmere (Mr. Clappison) did not seem to understand why the White Paper had said that the Government might accept it in the House of Lords, but not in the House of Commons. The White Paper spells that out very clearly: moving the amendment in the House of Lords would enable the first stage of the legislation to be agreed

"without any threat of deliberate frustration of the programme of a government".

It is not that any Labour Member wants hereditary peerages as such to continue, but the Opposition are in no position to negotiate. They have no power or strength with which to negotiate. They have nothing to offer: they are not in the poker game. They therefore look rather wistfully to their party colleagues in the other place, who are in a stronger position. The Government have a majority in the House of Commons, but no majority in the House of Lords. Between them, the Conservative peers and the Cross Benchers have 80 per cent. of the votes, while the Labour party has 3 per cent. That is a fairly crushing majority. In the circumstances, it is understandable that the Government in the House of Lords will pay a good deal of attention to what Cross Benchers propose, and to the conditions on which they make their offer.

I shall not detain the Committee for long, but I want to make a point that I have made before. I cannot question the credentials of the 75 Members of the House of Lords who may be elected by the hereditary peers, because we do not yet know who they are, and the same applies to the other 14. The only two who are mentioned specifically in the amendment are the Lord Great Chamberlain—I must confess that I do not know who he is; I should be glad to be informed, but I think that it is a post rather an hereditary title—and the Earl Marshal. His, I know, is an hereditary post. If the amendment were passed, it would be the only hereditary post left in Parliament: the other postholders would be elected by hereditary peers, or by the entire House of Lords. The Earl Marshal's post belongs, by heredity, to the family of the Dukes of Norfolk.

Mr. Andrew Mackinlay (Thurrock): How does my hon. Friend know that they are legitimate, anyway?

Mr. Linton: I shall come to that.

There are many things for which people have been rewarded with a seat in the House of Lords. I have mentioned one or two of them before. There have been the founders of political parties, the custard powder manufacturers, the family who paid off George IV's gambling debts, the family who married William IV's illegitimate daughters, the Bovril tycoon whose great-grandson still sits in the House of Lords, and—as my hon. Friend the Member for Thurrock (Mr. Mackinlay) mentioned—the four descendants of the love children of Charles II.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I hope that my hon. Friend will not continue with his list for much longer. He is making the House of Lords sound much more interesting than the House of Commons.

Mr. Linton: Indeed, it covers a multitude of sins, but I have no intention of going through the entire list of peers, lest—as my hon. Friend suggests—I make the House of Lords sound like something worth retaining.

Mr. Stunell: I wonder whether the hon. Gentleman could tell the Committee exactly how many of those hereditary peers are women?

Mr. Linton: I thank the hon. Gentleman for his intervention. I think that the figure is 18. Those 18 have been able to take their seats in the House of Lords only since the Life Peerages Act 1958, or perhaps it was the Peerage Act 1963. Only a few years ago, there was a move to allow the eldest daughter of peers to succeed to titles, which would have transformed the position and brought much greater female representation into the Lords, but it was defeated by their lordships.

Mr. Peter Bradley (The Wrekin): Just for the record, I should like to say that my hon. Friend has vastly inflated the number of women hereditary peers. The number is not 18; it is 16.

Mr. Linton: I beg their lordships' pardon. I underestimated just how out of date and out of this century they are. However, I want to discuss the credentials of the one hereditary peer who, under the amendment, would remain in the House of Lords, as of right, by heredity: the Duke of Norfolk. As all those other people were rewarded for giving money to political parties or to kings, or for marrying their love children, it seems particularly inappropriate that one should pick out of the entire peerage the Duke of Norfolk as his ancestors were rewarded and put in the House of Lords for regicide.

[Mr Linton]

That is to say, the original John Howard was the constable of the tower of London in 1483 when two of his most eminent prisoners.

Mr. Grieve: The hon. Gentleman should not try to give the Committee a totally bogus history lesson. The Dukes of Norfolk were around as peers of the realm a long time before 1483. Indeed, the probable reason why they hold hereditary office is that they have been around almost as long the current monarchy itself. The hon. Gentleman should not make bogus points.

Mr. Linton: Far from it.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. I find the history lesson very interesting, but the hon. Gentleman must keep to the amendments that are before us.

Mr. Linton: Thank you, Mr. Martin. I refer to the Duke of Norfolk only because he is specifically mentioned in the amendment as someone who should be picked for an hereditary post. The hon. Member for Beaconsfield (Mr. Grieve) is wrong, because not only was that person Richard III's right-hand man in the literal sense—he sat at his right hand at his coronation—but, three days later, he was made the Duke of Norfolk and the Earl Marshal.

A few years ago, I happened to read a small article in a local newspaper in Horsham; the single-paragraph story caught my eye. The Duke of Norfolk, or rather the heir to the Duke of Norfolk, had met a group of sixth formers to discuss the House of Lords. The paper reported that he had told them that his family ascribed their membership of the House of Lords to the fact that their ancestor had killed the princes in the Bloody tower. It may be that the Horsham weekly paper misreported him, or that he was not aware of the fact that there was a reporter in the audience, but many historians will confirm that version of events. In most historians' view, it is more than likely that that is the origin of the Norfolk title.

No Labour Member wishes the hereditary principle to survive in that form for its own sake. We will support it only if the great majority that the Conservatives and Cross Benchers have in the House of Lords forces us into a position whereby the arrangement is the only way in which to ensure the smooth passage of the legislation.

Dr. Fox: I realise that many hon. Members are waiting to speak, so I will be as brief as possible.

I welcome the chance to discuss the amendment, and congratulate my hon. Friend the Member for Epping Forest (Mrs. Laing) on introducing it in such a remarkably spirited fashion. We are being treated to the most perverse part of the entire debate. The Government claim democratic legitimacy for introducing the Bill because the measure was in their manifesto; I do not think that any democratically elected Member would dispute any Government's right to introduce a measure that was in their manifesto. But, at the same time, they say that they will accept in another place something that is the opposite of the policy in their manifesto—they will keep a number of hereditary peers in the House of Lords. Only a Government with the moral double-speak of the current one could possibly contemplate maintaining such a position without blushing, yet the Leader of the House is quite cavalier about doing so.

5.15 pm

Another nonsense is that, had my hon. Friend the Member for Epping Forest not tabled and moved amendment No. 2, the Government intended that the issue should be debated only in the other place. As I told the Leader of the House yesterday, the Government planned that there should be no debate on the issue in the Chamber that the Government claim has democratic legitimacy, but it would be debated and decided in the Chamber that they claim has no democratic legitimacy.

Although the Government's position is deeply perverse, a much worse fact is that the House is being treated with contempt. Today Labour Members will be asked to vote against amendment No. 2. However, when the Bill returns to the House from the other place, Labour Members will be asked to vote for the same provision. If Members in another place are good boys and girls, they will be blessed by his holiness the Prime Minister and their wishes will be granted, at least in the short term. For the Prime Minister, there seems to be only a fine line between divine and divine right.

We have had long Parliaments and short ones, but now we have a eunuch Parliament, in which votes mean nothing in themselves. There will no intrinsic merit in the votes cast by Labour Back Benchers—who are here only for the convenience of the Executive, casting their votes as the Executive wants. If Labour Members have to do intellectual and moral somersaults to reconcile conflicts, they will be expected to do so.

Mr. Mackinlay: Not so.

Dr. Fox: It is up to all Labour Members to make up their own minds.

More than anything, the Bill's passage shows that the Government have very little understanding of the importance of Members of Parliament and of our role—on both sides of the House—of scrutinising the Executive. It is deeply dispiriting to see hon. Members allowing themselves to be patsies of the Executive.

In the debate on amendment No. 2, the facts have been further twisted. The right hon. Member for Hartlepool (Mr. Mandelson)—the twister par excellence—managed to say that the Conservative party has a 3:1 majority in the upper House. Yet the Government's own White Paper states that 476 peers have taken the Conservative Whip out of a total of 1,165 peers. Goodness only knows how 41 per cent. of peers could constitute a 3:1 majority. Ability and attention to detail have never been the strong points of the right hon. Gentleman, or of the hon. Member for Battersea (Mr. Linton)—who just said that Labour has 3 per cent. of votes in the House of Lords, whereas the White Paper states that there are 175 Labour peers, out of a total of 1,165.

Mr. Linton: I said that the Conservatives and Cross Benchers have 80 per cent. of the votes of hereditary peers—of whose votes the Labour party has 3 per cent., and the Liberal Democrats have 4 per cent. The figures are from the White Paper; the hon. Gentleman can check them. While he is on his feet, will he explain something that has been troubling me since he spoke in the previous debate? Does he, or does he not, support the hereditary principle?

Dr. Fox: That is a very good red herring, with which I shall deal later in my speech. The hon. Gentleman cannot be so selective in his figures. In a Chamber comprising 1,165 peers, there are 175 Labour peers. I should be the first to acknowledge that that is well below the number that would accord with Labour's voting strength in any recent general election. However, the hon. Gentleman should try not to twist the figures that he gives to the Committee—as the right hon. Member for Hartlepool did.

The hon. Member for Battersea asked me about the hereditary principle, and I should like to deal with that point—although you, Mr. Martin, may rule me out of order if I do so. I have not heard any Labour Member say that he or she is against the hereditary principle itself. Labour Members do not seem to be against handing property over to their children, or against the monarchy's line of succession. They should therefore not confuse the hereditary principle with an hereditary ability to vote in the House of Lords. However, I know that I am straying far from the territory covered by the amendment. I can tell by the benign look that comes over your face before you stand up, Mr. Martin, that I had better move on and deal with another point.

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): Simply for the sake of certainty and of clarity, may we return briefly to the figures, and to whether the Conservatives have a 3:1 majority in the other place? The hon. Gentleman has already quoted from the White Paper, which says that the Conservative party has 476 peers and that Labour has 175 peers. The Conservative party therefore has, roughly, a 3:1 majority over Labour.

Mr. Evans: What about the Liberal Democrats?

Mr. Tipping: The Liberal Democrats have 69 peers.

The First Deputy Chairman: Order. We are going back to the Second Reading debate, rather than keeping to the amendment.

Dr. Fox: The right hon. Member for Hartlepool said earlier that the Conservatives had a 3:1 majority over all others. That is where the numbers were twisted.

This is an exercise in the cynicism that we expect from a Government who treat Parliament, particularly their Back Benchers, with contempt. Perhaps, one day, Labour Back Benchers will develop a little self-respect and sense of history and realise that they are here for a purpose other than serving the Labour party—they are here to serve their constituents. The amendment would make a bad Bill marginally better and we shall support it.

In a supine effort even by the doorstep standards of the Liberal Democrats, the hon. Member for Portsmouth, South (Mr. Hancock) raised one important point about Lord Cranborne. We have never argued with the substance of the amendment. It was agreed with Lord Weatherill. Lord Cranborne was sacked for defying the authority of the shadow Cabinet and for trying to trade away something that is not tradeable: the Opposition's duty—it is not just a right or an ability—to oppose the Government in both Houses. It is the duty of the Opposition to scrutinise the Government and to bring the Government to account. That cannot be traded away. There can be no deal because we are not willing to trade away our ability to oppose.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): Was not Lord Cranborne negotiating with the Government to make the Bill closer to what he and his colleagues would like? The Leader of the Opposition had proved himself not only unable but unwilling to do that, saying that the Conservatives would oppose the Bill and defy the Government's mandate without giving an inch.

Dr. Fox: That was the Mensa version of doormat. That does not invalidate what I have said. A position cannot be negotiated on behalf of a party without the party's authority. That authority has to come from the leader of the party. All the Liberal Democrat Members want to be the leader at the moment, so I understand why they make little bids now and again.

In trying to secure support for the amendment in the other place, we shall not trade away our ability to oppose the Government.

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I shall not take more than a second of the Committee's time. The hon. Gentleman's repeated assertion that an attempt was made to persuade his party to give up its proper duty to oppose cannot be allowed to pass without challenge. No such attempt was made. We are talking not about proper opposition or proper scrutiny of Government legislation or other proposals, but about the possibility of organised disruption and hooliganism and a straightforward abuse of the power that the Conservatives have always enjoyed in the House of Lords. We certainly want that to be traded away.

Dr. Fox: Last night, the Leader of the House told my hon. Friend the Member for Epping Forest that she had no right to move the amendment—an amendment that the Government will support in another place—and that she was wasting the time of the Committee. The Government seem to regard any reasonable scrutiny of their policies as time wasting. They regard the unwillingness of both Houses to roll over and die when faced with their power as filibustering.

Mrs. Beckett: The hon. Gentleman is wrong. Perhaps he was not in the Chamber at the time. I do not criticise him for that. I accused the hon. Member for Epping Forest of wasting the time of the Committee because she repeatedly demanded that I come to the Dispatch Box to say what I had already said and what was clearly on record as the Government's attitude. I thought that that was somewhat time-wasting.

Dr. Fox: It was entirely appropriate for my hon. Friend to say that the Government's position was not clear. The Government have said that they are going to force their Back Benchers to vote one way tonight and the opposite way the next time. There cannot be a more perverse way

[Dr. Fox]

of carrying forward business in the House. If the Government have such moral double-speak, how can they be surprised that the rest of the Committee is confused?

Mr. Mackinlay: I understand the duty of the Conservative party to oppose and frustrate. Can the hon. Gentleman envisage any circumstances in which his party would accept Government proposals seeking an agreed way forward? Outside this place, many people consider that we are playing games. It should be within the capacity of men and women here to reach an agreed settlement on one reform fairly immediately. Are there circumstances in which the hon. Gentleman would be prepared to do that?

Dr. Fox: There are, and if we had had the royal commission some time ago, we could now be considering the results and moving on to subsequent reform. It would be far better to move to a single-stage reform by consensus than to have the current piecemeal approach. The last time such reform was proposed, it was frustrated not in the other place, but by Back Benchers on both sides of this House who did not want a challenge to the power of the House of Commons by the other place.

New clause 12, on which we may seek to divide later, relates to the Scottish peers and the Act of Union. Article 22 of the 1707 Act of Union provides for the number of Scottish representatives in the Parliament of Great Britain. Article 23 provides for the peers of Scotland to have

> "all Privileges of Parliament which the Peers of England now have and which they or any Peers of Great Britain shall have after the Union".

By the Act of Union, the Scottish peers—who had previously sat in the Scottish Parliament—were not granted seats in the united Parliament, but were granted the right to elect 16 of their number as a quid pro quo for the loss of their seats in the Scottish House of Lords.

The system was abolished by the Peerage Act 1963, which granted all peers of Scotland a seat in the House of Lords. Peerages created subsequent to the Act of Union were made as peerages of Great Britain, and there were no further creations of peers of England or Scotland. The schedule to the Bill repeals section 4 of the Peerage Act 1963, which repeals the section of the Act of Union that deals with the election of Scottish peers but deems that all Scottish peers have the right to sit and vote in the House of Lords.

I would like to know from the Leader of the House what advice the Government have had on whether the proposal contravenes the Act of Union. The Leader of the House may say that the 1963 Act has already altered the Act of Union. Although the 1963 Act did, in practice, amend the provision of the Act of Union for 16 Scottish peers to sit in the House of Lords, it did not run contrary to it. It did not prevent 16 peers from sitting; it merely said that all Scottish peers could sit in the House of Lords.

The House of Lords Bill repeals the 1963 Act, and prevents 16 Scottish peers from sitting. The Leader of the House may claim that the number of life peers who are Scottish is far in excess of 16, and that therefore the spirit of the Act is not broken. However, all life peers are peers of Great Britain, not Scotland—and, therefore, the letter of the Act of Union is most certainly broken. In the absence of any stage 2 proposals, there is no guaranteed Scottish representation in the House of Lords.

All this becomes much more important when we look at the piecemeal and incoherent proposals from the Government on devolution. This is a serious issue on which I would like the Leader of the House to reply. No doubt there was considerable legal discussion about this matter in Government circles before they published the Bill. For a Bill to break the Act of Union would be a serious matter—although, given the contempt with which the Government treat Parliament, it would not be at all surprising. It would be nice to have some answers, just for once. Perhaps we could have the same answer here that will be given in the other Chamber.

Mr. John McAllion (Dundee, East): I wish to intervene briefly in the debate—not least because of the closing remarks of the hon. Member for Woodspring (Dr. Fox) about the Act of Union and the need for Scottish representation in the form of unelected peers sitting in an unelected second House of Parliament. May I remind the hon. Gentleman that the Act of Union represented the status quo in Scotland before the 1997 general election? The only defender of that status quo in Scotland was the Scottish Conservative and Unionist party, which was truly routed in the 1997 general election.

The will of the Scottish people was that the terms of the Act of Union be renegotiated and changed through the constitutional changes introduced by the Government in this Parliament, including the reform of the House of Lords—which the people of Scotland are completely behind. There is very little sentiment in Scotland for unelected peers to represent our country in a second Chamber of this Parliament. The hon. Member for Woodspring—who has been away from Scotland for some considerable time—shows how out of touch he is with genuine opinion in Scotland by tabling an amendment that would have no support, I suspect, even among the Scottish Conservative party.

I am delighted to be able to follow my Whips' instructions tonight and vote against amendment No. 2. I have no desire whatever to save the political skins of the Lord Great Chamberlain or the Earl Marshal, or any of the other 89 hereditary peers referred to in the amendment.

If the hon. Member for Woodspring is concerned about Labour Members being only half-opposed to the hereditary principle, I can assure him that I am opposed to it wherever it rears its head. There is no place in democratic politics for people to inherit positions of power and influence rather than being elected by their peers—by which I mean their ordinary fellow citizens.

5.30 pm

Sir Patrick Cormack: Does that apply to the monarchy, in the hon. Gentleman's view?

Mr. McAllion: Absolutely. I have long been a republican and have made no secret of that fact, along with several of my hon. Friends. We would argue in any referendum or debate for the establishment of a republic, as exists in most democratic countries.

Mrs. Laing: I congratulate the hon. Gentleman on his honesty and consistency. His position is perfectly reasonable. He disagrees with me, but he has every right to do so. Will he vote against the amendment and any similar amendment, whenever there is an opportunity to do so?

Mr. McAllion: Yes. I was coming to that. I am happy to follow the Whips' advice tonight, but I am less happy with the clear implication, and the view of many of my hon. Friends, that, although we are voting against the amendment tonight, we will be asked to vote for a similar or identical amendment from the other place, not because we agree with it or think it right but because it is a price that we have to pay: a Danegeld that the House of Commons has to pay to the unelected House because of the threat of what it may do if we do not.

The House of Lords threatens not only to block the Bill and frustrate the will of the elected House of Commons but to wreck the elected Government's entire programme. For that deeply undemocratic behaviour, we are expected to reward 91 hereditary peers with a job for life. Their power to frustrate the elected House will continue unchecked under the new arrangements.

It is deeply dangerous for the House of Commons to give in to that blackmail and to write into our constitutional arrangements a deeply undemocratic strain that allows the other House continually to check our will and to threaten disruption if we are not prepared to give in to their demands.

Mr. Bowen Wells (Hertford and Stortford): I am following the hon. Gentleman's argument closely. How many Government Bills has the House of Lords wrecked, and on what subjects?

The First Deputy Chairman: Order. There has been some leeway on these amendments, but I cannot allow the hon. Gentleman to go as wide as that.

Mr. McAllion: Let us be honest about it: the amendment was not generated here; an agreement was arrived at in the other House before it was handed over to the hon. Member for Epping Forest (Mrs. Laing). The question before us is whether we—the elected representatives of the people—give in to the House of Lords and accede to its demands by voting for the amendment. Should we give in to the demands of people who are not elected by anyone, be they hereditary peers or those who sit in the other House by virtue of the Prime Minister's patronage?

It would be deeply wrong of us to give up our democratic credentials to a House that is not elected and should not in any sense be able to tell us what we can or cannot do. That is why I will vote against the amendment and against any similar Lords amendment.

We are told that there is nothing that we can do and that, because the Government do not have a majority in the other place, they must always bow the knee to it because of the threat of disruption, but that is not an insurmountable barrier. If the elected House and the elected Government were determined to do something about the unelected House of Lords, they could do it. My right hon. Friend the Member for Chesterfield (Mr. Benn) has told us time and again how the problems could be overcome by the creation of sufficient peers to ensure that we could abolish the unelected nature of the House of Lords at a stroke. The problem is that the House of Commons has not yet made up its mind what to do about the House of Lords. That is the real problem, and it is why we are confronted with this difficulty tonight.

Many hon. Members, including Labour Members, fear an elected second Chamber on the ground that it could mean some diminution of the power of this House. That is why a compromise involving some form of unelected second House has been developed. However, such a compromise takes us away from the point of principle and leaves us at the mercy of the hereditary peers, who say that what is suggested as a replacement for them is no better than the hereditary principle.

I beg the Government to have the confidence of their democratic principles and credentials. As a Scottish Member, I am acutely conscious of the constitutional theory that underpins the United Kingdom—the Act of Union, to which the hon. Member for Woodspring referred. Under our constitutional arrangements, sovereignty does not rest with the people. In every other democracy in the modern world—in America, France and Germany, for example—sovereignty rests with the people, but, under our arrangements, it rests with the Queen and Parliament. That means that it rests with an unelected monarch, an unelected House of Lords, and an elected House of Commons.

That traps us in the past. It prevents us from being the proper, modern and democratic country that most others are, and all our fiddling about with what should happen with a second Chamber will make us a laughing stock unless we come to terms with that reality. It is time that this House grew up and realised that it should move into the 21st century with the rest of the world.

Sir Nicholas Lyell (North-East Bedfordshire): I begin by apologising, Mr. Martin, for my absence at the beginning of today's debate, when I was due to continue the speech that I began last night. I received an injection at lunch time and its effects meant that I could not be here earlier, but I am here now.

This debate is not about the eventual abolition of the rights of hereditary peers, which no doubt will come about sooner or later. It is really about the crucial matter of the composition of the interim Chamber between the time when this Bill is passed and the second stage of the process, which is the genuine creation of a modern, reformed House of Lords.

As I was saying in the last 60 seconds of last night's debate, the big question is whether the Government and the Leader of the House—whom I am very glad to see in her place—will let us have a proper debate, in this elected House of Commons, on that supremely important issue. I welcome the fact that the right hon. Lady is answering the debate, and I hope that we shall get a constructive response.

The Government have moved a bit and are entitled to some credit for doing so. Their outward stance for the first 18 months of this Parliament matched their manifesto proposals. The Government proposed the simple, naked abolition of the rights of hereditary peers and the consequent mutilation of the existing House of Lords which, whatever its origins, in many ways works quite well. They had no constructive proposals for what would replace it. As I and others have said, that can rightly be described as an act of constitutional vandalism. Watching the Prime Minister at Question Time some months ago

[Sir Nicholas Lyell]

not merely defending but luxuriating in what he seemed to regard as an almost ritual act of destruction—with some Labour Members behind him baying in support—was pretty bewitching, but it was no credit to parliamentary democracy on the eve of the 21st century.

Behind the scenes, however—and fostered by a mixture of common sense and a recognition of the need for parliamentary tactics—more sensible discussions were going on. Yesterday, the Government seemed to describe those discussions as some sort of open consultation. That was pretty good nonsense, but Lord Cranborne and Lord Richard—the then Leader of the House of Lords—were thinking about and tussling through to something approaching a sensible compromise for the interim. The result was the Weatherill amendment, as it is now called, which the Government have openly acknowledged and in effect recommended in the White Paper.

We are not allowed to vote on that amendment because the Government are determined to keep the whip hand in the Lords. They threaten not to permit any sensible interim Chamber to be created unless they get their way and unless they get their business through in what they regard as a reasonable time scale.

I have never been a Whip, but the Government are, within reason, entitled to pass their business. However, they are not entitled to stifle debate. I am asking for a more open mind from the Prime Minister and from the Leader of the House, because I suspect that although the Weatherill amendment is significantly better than nothing at all, it is by no means the best option for an interim Chamber.

The substance of amendments Nos. 16, 17 and 18 is simple. They offer an alternative way forward for the interim Chamber. They would mean that the Bill should not come into force for six months after Royal Assent. During that time—although there is no reason why the thinking process should not begin immediately—the Government should, in the words of amendment No. 18,

> "make inquiry and lay a report before both Houses of Parliament, setting out the names of all current hereditary peers who have played a significant role in the workings of the House of Lords during the ten years preceding the passing of this Act; and such hereditary peers shall be entitled to remain members of the House of Lords, pending the enactment of proposals for the wider reform of the House of Lords following the report of the Royal Commission and public consultation concerning its proposals."

Mr. Allan Rogers (Rhondda): I do not necessarily disagree with the right hon. and learned Gentleman's argument, but its underlying ethic is a little hypocritical. The right hon. and learned Gentleman was part of a Government who rammed business through Parliament, used more guillotines than any other and completely ignored the concept of parliamentary debate in many areas. He was the Solicitor-General in a Government who abused democracy and parliamentary debate. I am a great admirer of the right hon. and learned Gentleman, but I find it a little sickening to hear him use such abuse as an underlying argument.

Sir Nicholas Lyell: A soft answer turneth away wrath. I can only say that I heard the hon. Member for Rhondda (Mr. Rogers) debate matters extremely effectively during the time when my Government were supposed to be abusing and stifling debate. He slightly overstates his case.

Amendment No. 18 explains in a nutshell my suggestion of the right way to proceed. The amendment can perhaps be improved on, but its substance has real merit. Labour Members should recognise that the amendment would allow the Government to achieve their key objective—the ending of the hereditary principle in the medium term. Although the number of hereditary peers involved would be rather more than the 91 proposed by the Weatherill amendment, my amendment would, like Weatherill, give the Government no grounds to fear any future defeat by what they like to describe as an influx of backwoodsmen.

I believe that my amendments improve on the proposal for 91. One great strength of the House of Lords is the sheer diversity of talent on which it is able to draw. Those talents come in significant measure from the life peers who resulted from the great Conservative constitutional reform of 1963, on which the Prime Minister has built by creating 105 new life peers.

Significant diversity also comes, however, from the ranks of the hereditary peers, and not only from among those likely to make up the 91. Many others have made, or could in future make, a real contribution to the upper House. They have helped to give it breadth and wisdom, but they have spoken comparatively infrequently, or their main work has been less public as members of House of Lords Select Committees.

It is invidious to give names, and I shall do so only to illustrate my point, as I did yesterday when we discussed the possibility of a right to speak but not vote. The group to which I refer includes peers who have played a huge role in matters to do with the environment, legal issues, trade unions and criminal justice. However, the number of their speeches during the past six years has been comparatively small.

To recap the statistics, roughly 90 peers have spoken more than 40 times in that six-year period. I take my figures from the parliamentary on-line information service—POLIS—computer in the Library of the House, to which I am indebted. About 250 hereditary peers have spoken between five and 40 times and have lent the upper House great weight in doing so. Another example that I did not give yesterday was that of Lord Ridley, who is recognised nationwide by those who understand the subject for his profound insight into local government. *[Interruption.]* No, Lord Ridley has a remarkable insight and if the hon. Member for Hemel Hempstead (Mr. McWalter) knew him, he would recognise that fact. Frequently, he was a constructive critic of the Conservative Government when we were in power—*[Interruption.]*

5.45 pm

Mr. Edward Garnier (Harborough): We just heard some guffawing from Labour Members. It may have resulted from confusion over the identity of the Lord Ridley whom my right hon. and learned Friend had in mind. I think that he is referring to the noble Viscount.

whereas the guffaws might have been directed at the former Secretary of State for the Environment, Mr. Nicholas Ridley.

Sir Nicholas Lyell: Yes, and I see that the hon. Member for Hemel Hempstead accepts my hon. and learned Friend's tuition.

Another example is Lord Gowrie on the arts. Since he ceased to be a Minister, he has spoken in the Chamber six times, but to great effect. I mentioned Lord Runciman, who chaired the royal commission on criminal justice and who has spoken 12 times.

One can take a spread of distinguished peers, some hereditary and some created. It is interesting to note from the figures that some life peers who play an important role in the House of Lords, and who will be able to continue to do so, do not speak often, but when they do so it is to great effect. That is part of the richness of the wider aspect of the United Kingdom Parliament. I mentioned Lord Selborne yesterday, a hereditary peer who is widely respected as almost pre-eminent on the environment, as is Lord Alexander of Weedon—a life peer—on the City. Our old colleagues from this House, such as Lord Merlyn-Rees, Lord Whitelaw and the late Lord Tonypandy played a big part after going to the House of Lords, but only spoke about 25 times in six years. The Countess of Mar is another example, as is Lord Wedderburn, the distinguished Labour life peer.

Mr. Mandelson: I am sorry to interrupt the right hon. and learned Gentleman. I do not know whether he was present throughout our proceedings yesterday, but virtually everything that he has said in the past few minutes was said by his colleagues then.

Sir Nicholas Lyell: I said it myself.

Mr. Mandelson: Others did as well. Will the right hon. and learned Gentleman assure the Committee that he is not simply reading from some prepared sheet that is being circulated among Conservative Members?

Sir Nicholas Lyell: I can assure the House that I am reading from no prepared sheet, if the right hon. Gentleman will listen, and I wrote it myself. I am also quoting figures that I gave the Committee myself. The right hon. Gentleman is enjoying himself, waving his arm round and round—spinning, I suppose—but he was not in the Committee yesterday, or not for long anyway.

Mr. Mandelson *rose—*

The First Deputy Chairman: Order. If we concern ourselves with who was in the Committee yesterday, we are straying from the amendment.

Sir Nicholas Lyell: You are right, Mr. Martin. Occasionally, I have wondered whether I might come across an old lady with a spinning wheel in some high room in this House, and now I have come across her.

We must also consider the work of the Select Committees of the House of Lords. I met Lord Merlyn-Rees this morning—he is a neighbour—and he told me that he regarded the work of those Committees as some of the most valuable work done by the upper House. Ten of the 20 members of the European Communities Committee, which is one of the largest and most influential Select Committees in the House, are hereditary peers. That Committee has six sub-Committees and the Chairmen of four of them are also hereditary peers. The Delegated Powers and Deregulation Committee is unusual in having only one hereditary peer, Lord Ampthill; but hereditary peers play a significant role in the Committees on science and the arts and the in domestic Committees, which are in effect the usual channels in the other place.

The bottom line of my argument is that there are about 150—and perhaps as many as 200—hereditary peers who play a significant role in the work of the upper House and without whom it would be a poorer place. That number of hereditary peers is no threat to the Government, but their combined voices should cause the Government to check when they are wrong and would give no doubt welcome support when the Government are right. I am referring to hereditary peers of all parties and of none.

We look for constructive action from the Government. The Government have a duty to govern, which means that they have a duty to propose ideas themselves. Sitting haughtily in a corner and saying that there is a huge Conservative majority in the Lords that they are going to destroy, but that they are going to put nothing in its place to renew the upper House, is simply not good enough. The amendment offers a genuinely constructive way forward and I ask the Government to accept it.

If the Government are afraid to do that, for fear—as the right hon. Member for Hartlepool (Mr. Mandelson) explained—of losing the whip hand given to them by the threat of using the Parliament Acts, I ask the Government at least to recognise the strength of the argument, to discuss it with Lord Weatherill and others and to use it to build on the Weatherill proposals. In that way, they can ensure that, however short or long the interim period is, the interim Chamber retains as much as possible of that which is good in the current Chamber.

There is simply no need to destroy. Proper reform, in this area of the constitution above all, should be incremental and evolutionary and should proceed step by step. Removing the rights of hereditary peers is one step, but alone it is just not good enough. True reform must be constructive and build on the best of what exists. Amendments Nos. 16 to 18 offer a way ahead and I commend them to the Committee.

Mr. Mackinlay: I shall speak only briefly on this group of amendments. I reiterate my disappointment that the former Leader of the House of Lords, Lord Richard, was dispatched in July and that Viscount Cranborne, former Leader of the Opposition in the other place, was later dispatched by the Leader of the Opposition in this place. I believe that my right hon. Friend the Prime Minister and the Leader of the Opposition should have allowed them to explore exhaustively the possibility of agreement on an interim House, or of concluding the reforms in one Act, by consensus. I cannot help but feel that the opportunity to reform and democratise our Parliament is being jeopardised by the tactical considerations of both the Government and the Opposition.

It is not unreasonable to point out to my right hon. Friends on the Treasury Bench and to Opposition Front Benchers that there is still scope for them to come to some

[Mr. Mackinlay]

sort of agreement—one that would not jeopardise the Opposition's duty to oppose, but which, if enacted fairly swiftly, would give them opportunities to increase the parliamentary checks, balances and scrutiny that we all want. The amendment moved by the hon. Member for Epping Forest (Mrs. Laing) does not achieve that.

In some weeks' time, there is to be a charade played out, in which I and my colleagues are to be persuaded to vote for the amendment. I am not happy about that. I shall remain deeply concerned that an unsatisfactory "interim" House will endure and the hereditaries stay. I implore my parliamentary colleagues to pause and consider whether there can be some sort of agreement that would be mutually beneficial, enhance the Opposition's opportunity to oppose and enable scrutiny to be provided.

In any event, the concept of the hereditary peers enduring in Parliament is unacceptable. At the general election, an overwhelming mandate was given for their being expunged from Parliament. The whole hereditary principle is alien to those of us who are socialists and to many other people who would not use that term but who, would call themselves democrats.

Yesterday, in what might have appeared a somewhat flippant intervention, I referred to the need for DNA testing—after all, who are the hereditaries? There is no prospect of DNA testing being introduced, but let us pause to think: there are people who sit as Members of Parliament by hereditary right, but is there no possibility of infidelity having occurred in their families over the past few hundred years? I do not believe that those people are all legitimate—hands up anyone who is certain that his or her lineage has not strayed outside of wedlock. Even if one accepts the hereditary principle, the position of the hereditary peers is absurd. It is legitimate for us to raise such matters.

I shall come in a moment to the point raised by the hon. Member for Woodspring (Dr. Fox) about the Act of Union, but first let me tell the Committee about the time I spent in another place listening to the tortuous case about who exactly was the legitimate Lord Moynihan; a case in which the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), who was then the Attorney-General, made representations. The legitimate Lord Moynihan had to fight his case over many weeks and witnesses had to be brought from the far east. Presumably, similar cases might occur in future if the amendment were accepted: perhaps, at the critical moment, the election of the representative hereditary peers could be held up by such disputes. The rules are unbelievably arcane and I invite those who are interested in such matters to look at the Moynihan case so that they can see for themselves how absurd the whole process is.

If that case does not persuade the Committee, let us recall the time of the Maastricht debates during a previous Parliament. A good peer upped and died and a Member of this place, Lord Douglas James Hamilton, thought that he might have inherited the title, but there was a vote in the Commons that evening, so Lord Douglas James Hamilton—[HON. MEMBERS: "Lord James Douglas-Hamilton"] Yes, that one. He went down to the Victoria Tower and repudiated or renounced, whatever the term is, a peerage that he might have inherited. I use the word "might" deliberately, because the inheritance became the subject of a trial in which Lord James Douglas-Hamilton was challenged by his cousin.

I trotted down to the Victoria Tower after him and made a thorough nuisance of myself by asking to see the documents and the books. After insisting on seeing the register and the instrument by which the peerage was renunciated, I put all the questions I could to a bewildered man from the Lord Chancellor's Department. Finally, when I became exhausted, I asked him, "Are you telling me that someone can come down here and renounce a peerage that they might have inherited?" The man looked me straight in the eye and said, "Yes." I then asked, "Does that mean I could come down here tonight and renounce the peerage of Glenfiddich?" He looked at me and answered, "Yes." That is the sort of absurdity that surrounds the vital question of whether or not someone can sit as a Member of Parliament. This is all factual stuff.

Mr. Wells: The hon. Gentleman is absolutely right—it is all factual stuff. However, he might like to recall the occasion on which that renunciation took place and the reason why it was so important: it was that Lord James Douglas-Hamilton represented the Government's majority in the House of Commons at the time.

6 pm

Mr. Mackinlay: That is an historical fact, but my argument is that we should tolerate no longer than is absolutely necessary even one hereditary peer in Parliament, because the whole thing is absurd. The pantomime that I described underlines that point.

The hon. Member for Woodspring, who is not present, raised, in a rather spurious point, the Act of Union. I refer to that because Conservative peers created a precedent on this issue—I went to the Lords to watch the case—when they sat in judgment on a peer of Ireland who wanted them to restore his right to sit in the Lords.

The First Deputy Chairman: Order.

Mr. Mackinlay: You allowed the hon. Member for Woodspring to raise this issue, Mr. Martin. He was referring to what would happen to Scottish peerages if the amendment in the name of the hon. Member for Epping Forest were accepted. I simply want to draw attention to the fact that under the Government of Ireland Act 1920, the Irish peers withered on the vine and the last one to hold his seat was the grandfather of Richard Needham, who died in the 1950s. That Act accepted the fact that Parliament could abrogate the right of the peers of Ireland to sit here. After all, rightly or wrongly, a quarter of Ireland is still part of the United Kingdom.

Sir Nicholas Lyell: That is relevant to our discussion because peers of Ireland who were sitting in the House in 1921, when the Irish free state was set up and Ireland became an independent country, were allowed to continue to sit here for the rest of their lives. Does not the hon. Gentleman agree that that is a good example of the way that reform can be carried out in a transitional way that enables the country to continue to benefit from the wisdom of peers while changing its system? That demonstrates the evolutionary nature of reform, which is preferable to a destructive approach.

Mr. Mackinlay: I do not think that anybody should sit in Parliament by reason of birth, because that is an absolute absurdity. I understand the right hon. and learned Gentleman's point, but I reject it. I was drawing attention to the narrow point that there is no impediment to our doing away with the hereditary peerages. That would not in any way jeopardise the Act of Union with Scotland. Just as, in 1920, with the Government of Ireland Act, this place can decide to abrogate the right of Scottish peers to sit in the British Parliament. The end of the Irish peerage did not take immediate effect because those peers withered on the vine. During the previous Parliament, a case was retried by the House of Lords, which had a Conservative majority, who said that Irish peers had no right to sit in Parliament. That is the only point that I want to make.

Sir Michael Spicer (West Worcestershire): I support the amendments in the name of my hon. Friend the Member for Epping Forest (Mrs. Laing). They are not the best solution, which would be to keep what we have at the moment. The next best solution would be to abolish the House of Lords altogether.

I say that because we have in our country a system of government called the integration of powers. That means that the Executive are selected from the legislature. The chain of accountability goes from the Executive, through the House of Commons, to the people. The people are sovereign because the House of Commons is sovereign, and that sovereignty is maintained by the existing system. With, or perhaps because of, all the system's impurities in the House of Lords, to which the hon. Member for Thurrock (Mr. Mackinlay) referred in a colourful way when he mentioned Lord Moynihan, who is present in the Gallery—

The First Deputy Chairman: Order. The hon. Gentleman should know better than to make such a reference to anyone outside the Committee.

Sir Michael Spicer: I apologise, Mr. Martin.

The essence of the present situation is that there is no real rivalry between the two Houses. That position would be maintained by the amendments or by the abolition of the House of Lords. In the past, the right hon. Member for Chesterfield (Mr. Benn) has persuasively argued exactly that by saying that to maintain the sovereignty of the Commons, we should not change the Lords except to abolish it.

If we decide to change the present system, almost any alternative that is likely to be proposed will create a new rivalry between the Commons and the Lords. That will certainly occur under an appointments system, to which we shall refer in later amendments, whether or not people are directly appointed by the Government. The Executive would clearly be in charge of the House of Lords even if Members of that House were directly elected, because the Executive would have the capacity to divide and rule the two Houses of Parliament.

That possibility was recognised in New Zealand, which is a good example because it had a constitution identical to ours. New Zealanders recognised that if they set up a system of rival Houses from which the Executive would be chosen and to which they would report, that would give the Executive enormous new powers to divide and rule.

If keeping the present system, in which there is no question about the sovereignty of the House of Commons, is not on the menu, we should change to a system that is similar to it. Of course the proposals are a dog's breakfast, a mess of pottage and all the other descriptions that they were given in yesterday's debates, but that is exactly my point. The sovereignty of the Commons and, through that, its ability to hold the Executive to account, will be maintained, and that is why I support the amendments.

Mr. Richard Shepherd (Aldridge-Brownhills): As Churchill said, the people are sovereign, and many of us take the view that the House of Commons is not in itself sovereign but is the ultimate expression of the sovereignty that lies with the people.

Sir Michael Spicer: I could not agree more with my hon. Friend, and that is exactly my view of the House of Commons. That is why I believe that no House of Commons can bind a future House. The single currency perverts that principle because its effect is permanent and binds every future House of Commons. The sovereignty of the House is what matters.

Mr. McAllion: The hon. Gentleman has referred several times to the sovereignty of the House of Commons. If the Commons is genuinely sovereign, why do we have to accept the compromise being forced on us by the House of Lords?

Sir Michael Spicer: That is for the hon. Gentleman to discuss with his Front-Bench colleagues. The House of Commons can do what it likes, as he well knows, especially in this particular House of Commons. I do not believe that the House has too much power, however. As my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said, the House is the representation of the people's sovereignty and that must be maintained.

Mr. Garnier: The complaint of the hon. Member for Dundee, East (Mr. McAllion) relates not to the power of the House of Lords, but to the power of the Executive over this House.

Sir Michael Spicer: But my point is that, at the end of the day, the House of Commons is elected by the people and from it the Executive are chosen. I conclude by saying that I support the amendments for the reasons that I have given.

Mr. Grieve: I shall try to be brief. The debate has certainly been interesting, but I found the comments of the right hon. Member for Hartlepool (Mr. Mandelson) a little rich. It is only because we have been badgering the Government consistently for a long time that we have a feasible opportunity to discuss these issues, instead of the Government having an easy path to getting rid of hereditary peers and doing nothing else. I welcome this debate because at least we are beginning to have constructive discussion about options for the future of a truly representative and democratic upper House. In that regard, Conservative Members are probably far more radical than the majority of Labour Members.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), in speaking to amendments Nos. 16 to 18, made a compelling case, and I do not want go back over that ground. I was happy to put my name to several amendments because a mechanism by which the talent that exists among hereditary peers can be maintained in the interim Chamber is worth while.

[Mr. Grieve]

My chief concern has always been, in relation to amendment No. 2, the possibility of representative peers, elected by their number, joining the interim Chamber. I am afraid that I take a slightly legalistic view on the issue. There are compelling grounds for believing that the amendment, if passed, will also help the upper House in its deliberations; but, quite apart from that, I am at a loss to understand the process by which we are embarking on reform.

If it were to be suggested that this House might wish to dispense with 300 parliamentary seats, it would be within our power to do so, and I would expect us to vote on it, and I would expect that, at the subsequent general election, there would be 300 seats fewer and that, thereafter, those seats would be redistributed. However, I would not expect us to expel 300 Members from the Chamber halfway through the currency of a Parliament. Yet what we are proposing to do in relation to the upper House, in relation to the hereditary peers, who do have rights—even if sometimes, listening to Labour Members, one wonders whether they have cottoned on to that—is to get rid of their right to represent themselves halfway through the currency of a Parliament—*[Interruption.]* Yes, without any right of representation thereafter.

Mr. McAllion: Will the hon. Gentleman give way?

Mr. Grieve: Not at the moment.

One thing that has especially puzzled me about the Government's ready acceptance of the Weatherill amendment is the fact that it occurred to me that they were aware of that issue, and realised that it would be a neat way of solving the problem. Before Labour Members say that it is a non-issue, I must tell them that I differ.

We spent a considerable part of last year discussing the incorporation of the European convention on human rights into our law, a move that I supported. I remember the Home Secretary saying that the European convention was not going to be the be-all and end-all—it was simply the foundation on which subsequent, better rights were to be based. How on earth do we square the principle whereby we have consistently denied peers the right to vote in elections and—rightly—will continue to deny life peers that right because they will still be able to represent themselves, with a system whereby, arbitrarily, halfway through a Parliament, we say to a whole group of people, who have also been deprived of the right to vote, "Out you go on your ear; you will have no representation for the rest of this Parliament"?

The beauty of the Weatherill amendment, and the reason why the Government should have tabled it instead of waiting for it to be brought from the upper House, is that it solves that problem in a way that I consider to be acceptable. However, I should be interested to hear from the Leader of the House the Government's view on that point.

Interestingly, my hon. Friend the Member for Epping Forest (Mrs. Laing) said that one of the problems with the present Government was that we could never understand what they were trying to do—they would not tell us. However, I must tell her that one of the problems is that the Government have reached such a pinnacle of arrogance that they seem to imagine, in their inclusiveness, that they know what each one of us thinks.

On Second Reading, I wished to ask the Leader of the House about that very point when she developed her arguments. I asked:

> "Will the right hon. Lady give way?"

She replied:

> "No, I am awfully sorry. I must get on. I feel confident that I could answer the hon. Gentleman's point."

I said:

> "The right hon. Lady does not know what it is yet."

The Leader of the House replied:

> "I do."—*[Official Report, 1 February 1999; Vol. 324, c. 615.]*

The Leader of the House has many attributes, but that of being a clairvoyant and a witch was not one that I had thought that she would claim as part of her own. [HON. MEMBERS: "Shame."] If that is the quality of the way in which debate is going to be addressed in the Committee, I hope very much that I have now enlightened her so that her clairvoyance may have proved to have been justified, and I hope at long last to have a reply to my question.

6.15 pm

Mr. Geoffrey Clifton-Brown (Cotswold): We are discussing a transitional Parliament. There are 200 to 300 active hereditary peers, and we are considering their right to sit, speak and vote in another place. Amendment No. 2 proposes that some 91 of their number should be retained. My preference under a stage 2 replaced House of Lords would be for an elected House of Lords. Under that system, some—at least 91, probably 100 to 150—of those 200 to 300 would be elected in any case. We are therefore talking about a transition.

The Government have made it quite clear that they will accept an amendment in another place but not an amendment in this Committee. Indeed, the House of Lords—I am sorry, the Leader of the House; I elevate her already, but I am sure that she would like to be elevated—made it quite clear that

> "if such a proposal is made in the Lords and the Government's legislative programme is not being frustrated, we are minded to accept it."—*[Official Report, 1 February 1999; Vol. 324, c. 609.]*

There we have it. The pressure—I was going to say, "the blackmail", but that would have been unparliamentary—to be brought on the other place is that, if its Members behave, they will be allowed to move that amendment. There we have it—the power of the Executive. That is what this is all about—patronage.

Patronage is being exerted in another way—a second, and even more insidious way—because, as I understand it, if this amendment is accepted in another place, it is also accepted that the Government will create sufficient life peers of their own political colour to make up the political balance.

I cannot understand what the fuss is all about. If amendment No. 2 were passed tonight, we would allow 91 of the most active, most eminent, most knowledgeable hereditary peers to remain and take part in the great democracy of this country—and yet the Government will not accept that. I cannot understand the gerrymandering that is taking place, purely so that they can use the Parliament Acts if their Lordships in another place do not behave. It is lack of principle; it is gerrymandering of our democracy. Future generations will judge it as such.

Mrs. Beckett: I congratulate the hon. Member for Cotswold (Mr. Clifton-Brown) on winding up the debate in the spirit in which much of it has been conducted.

There is a group of amendments before us. What all but amendment No. 25, tabled by my hon. Friend the Member for Cannock Chase (Dr. Wright), have in common is the desire to "save" some group of hereditary peers in the transitional House and to write that into the basic Bill as it leaves the Committee of this House. All but amendment No. 25, and new clause 12, which raises a different point, in one way or another seek to water down the Bill—as amendment No. 10 says, to restrict rather than to end the rights of hereditary peers.

The principle of the Bill, as it is put before the Committee by the Government, is that hereditary peers should cease to sit and vote by right of inheritance. The Government are not prepared to risk the existence and passage of that basic Bill. We made that point plain—I believe perfectly courteously and quite straightforwardly—on Second Reading. Yesterday, the hon. Member for Epping Forest (Mrs. Laing) moved amendment No. 2 in order to air issues that we all know may well be raised in the House of Lords, although it is not clear how the Conservative party will then vote, or whether such an amendment will be carried. Nevertheless, we have had a debate on the possibility that such an amendment will be tabled, and may be carried and return to the House.

I am sorry to say that we have had a rather strange debate in some ways—one in which, from the outset, some rather intemperate, not to say extravagant, arguments and language have been used. The Government have been accused of stopping debate on this issue. In fact, we were accused of preventing debate today, even after some hours of debate had occurred. We have done nothing to stop or to impede the debate. What we refused to do, and what we continue to refuse to do, is, as a Government, to put forward a proposal along the lines of that in amendment No. 2, because it is not our proposal.

It is a little unusual, as you will remember, Mr. Martin, and as several hon. Members observed yesterday and today, for a Government to be attacked for arrogance, obstruction of debate and undermining democracy for daring to signal that they might be prepared to compromise. Yesterday, Opposition Members repeatedly asserted that debate on this proposal would in some way be restricted by taking place—as it may well—if the Bill returns so amended from the House of Lords. That is nonsense, as they well know. There is nothing in the Bill, or in any intention stated or signalled by the Government, to curtail debate on this matter. The Government have no quarrel with the Opposition raising the issue—it is perfectly reasonable that they should.

It is perfectly reasonable that Conservative Members should have a bit of a knockabout at the Government's expense at the possibility that we may vote against the amendment tonight but, in a few weeks or months, we may accept a similar amendment. We have no quarrel with their right to do so. However, I suggest, in all sincerity, that wilder assertions about honour, integrity and blatant abuse of power are a very strong currency that we should be wary of devaluing by using to bolster an otherwise rather weak argument.

Laying side the tenor of the arguments deployed in this debate, the proposal to modify the Government's Bill will come—if it comes at all—from Cross-Bench peers. It is not a party proposal: it is not a Labour proposal and, presumably, it does not come from the Conservative Front Bench—if it did, a Conservative Front Bencher would have moved it. The Government are prepared to look favourably upon such an amendment if it seems likely to smooth the passage to stage 1 of reform, and hence allow us to move more quickly to stage 2.

Mr. Oliver Letwin (West Dorset): I am terribly grateful to the right hon. Lady for giving way. Will she answer the question that we have asked repeatedly: is it not odd for the Government to take the view that something is beneficial for the constitution if their lordships cause no trouble but, if their lordships cause trouble, that very same thing is not beneficial for the constitution?

Mrs. Beckett: The hon. Gentleman knows perfectly well that that is not the point. The Government would prefer the Bill that is before the Committee to pass on to the statute book. However, if it will assist the passage of this and other beneficial legislation regarding issues that, as the hon. Member for Portsmouth, South (Mr. Hancock) pointed out, are of much greater interest to the people of this country to accept something in the nature of a compromise, the Government are by no means unwilling to do that—despite all that has been said about our arrogance and insensitivity. I do not know why the hon. Member for West Dorset (Mr. Letwin) finds that so difficult to grasp.

I understand and sympathise with the concern expressed by my hon. Friend the Member for Cannock Chase. He is anxious that the fact that there is no time limit on the transitional House could allow 90 or so hereditary peers—if such an amendment is accepted—to remain indefinitely. I understand his concern, but I ask him not to press amendment No. 25. It is not needed because, despite what has been said in the debate, the Government have no intention of stopping indefinitely at the transitional House.

Mr. Andrew Tyrie (Chichester): What is the right hon. Lady's reaction to the comments by Lord Weatherill, which were reported in *The House Magazine*? He said:

> "It's within the bounds of possibility that the Royal Commission may say this"—

the Weatherill amendment—

> "has been working well—let's leave well alone.
>
> That would preserve continuity . . . Surely a consummation devoutly to be wished."

Would the right hon. Lady be content to see stage 1 continue indefinitely? What assurances can she give the Committee that it will definitely end?

Mrs. Beckett: I am not sure that the hon. Gentleman is not asking two entirely contradictory questions. I shall deal with the first issue that he raised. He asked about an article—which I do not believe that I have seen—that appeared in Lord Weatherill's name. Lord Weatherill, like everyone else, will put his views to the royal commission, and the royal commission will make its deliberations and give its advice. We are some sufficient distance from that outcome not to need to reach a conclusion at this point as to what a response to such advice might be.

Mr. Clappison: I am grateful to the right hon. Lady for giving way, but she has rather glided away from my hon. Friend's question. What is her opinion?

Mrs. Beckett: We have made it quite plain that the Government wish to see the Bill that is now before the Committee on the statute book. In order to smooth the transition and to move more speedily to stage 2, we are prepared to consider favourably something such as the Weatherill proposal. However, it remains the Government's view that there should be no continuation of the right to sit and vote in another place on the grounds of heredity.

That brings me to amendment No. 3, which would allow a small number of existing hereditary peers to remain as Members of the upper House. If the wish is to preserve those peers of first creation who are there on the grounds of their own achievements rather than those of their forebears, the Government have some sympathy with it—after all, that is why the life peers will remain. However, that is unnecessary because the Government have made it plain that we have already made such an offer to those hereditary peers. However, if the amendment is designed to preserve them as Members of the upper House by hereditary right, it is not acceptable to the Government. The whole point of the Bill is that it severs once and for all the link between hereditary peers and membership of the House of Lords.

Several hon. Members—particularly the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell)—addressed their remarks to amendment No. 18. We do not dispute that some individuals who sit as hereditary peers have made valuable contributions to the work of the House of Lords. However, I reject—as I suspect many of them would—the apparent assertion last night by the hon. Member for North Thanet (Mr. Gale) that their contributions are innately more valuable than those of life peers. I think that most hereditary peers would agree with me that the majority of the work of the House of Lords is carried out by the life peers—and that is not a criticism of hereditary peers.

Mr. Roger Gale (North Thanet): The right hon. Lady is perfectly aware that that is not what I said. I said last night, and I reiterate now, that the contribution of hereditary peers is at least as valuable as that of life peers and I objected to the manner in which the Government were seeking to gag them.

Mrs. Beckett: If the hon. Gentleman did not intend to so impugn life peers, I am glad to have given him the opportunity to set the record straight. They will welcome that news.

However valuable the contributions of individual hereditary peers may be, the fact is that that is not why they are Members of the upper House. The right hon. and learned Member for North-East Bedfordshire sought to introduce various mechanisms and—perhaps incidentally—further delay in order to preserve a larger number of hereditary peers on the grounds of individual achievement. His amendment refers to those who have played a "significant role" but does not propose who should be the judge of that significance.

The right hon. and learned Gentleman overlooks the fact that there is nothing to prevent any political party or the appointments commission from nominating as a life peer any hereditary peer who is thought to have made such a contribution. However, we do not believe that that is for Ministers to regulate; neither is it a matter for this Bill. I repeat that the removal of the hereditary right to sit and vote should come into effect at the end of this Session. We believe that that is sensible and that is why we ask the Committee to reject amendments Nos. 16 and 17, which seek delay either for an arbitrary period or in order to introduce a specific date. That risks a disruptive rather than a straightforward transfer to the transitional House.

Sir Nicholas Lyell: Will the right hon. Lady give way?

Mrs. Beckett: Very briefly.

Sir Nicholas Lyell: The key point that the right hon. Lady is almost addressing—I would be grateful if she would do so now—is that the Government are obviously thinking constructively about the 91 hereditary peers, provided that the amendment comes from the House of Lords and provided that the Government are not prevented from using the Parliament Acts. Will the Government think constructively about having a rather larger number than 91 on the same terms because there is a strong case for that?

Mrs. Beckett: I am sorry, but I doubt very much whether the Government will be prepared either to accept a further and arbitrary delay—as some of the amendments grouped with the right hon. and learned Gentleman's amendment suggest—or to exempt a list of named peers from the abolition of hereditary rights.

Mr. Gale: On a point of order, Mr. Martin. Before the right hon. Lady gave way to my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), she said that she had very little time. Mr. Martin, will you confirm that this is the Committee stage of the Bill, that it is not time limited and that the right hon. Lady has all the time in the world to answer all the points that were made during the debate?

The First Deputy Chairman: The hon. Gentleman is correct: it is the Committee stage.

Mrs. Beckett: For the record, Mr. Martin, being mindful of the fact that the Committee had spent many hours considering this group of amendments, I thought that hon. Members might wish to move on to the other very interesting amendments tabled by Conservative Members.

Before I leave my last point, I reiterate that, regardless of whether some extra peers are added later by way of an amendment in the House of Lords, it should be absolutely clear that they will sit as life peers. They will sit as individuals on the basis of a contribution that they are judged by their peers to have made. Their heirs will not inherit their seats, and the link between the right to sit in the House of Lords and the hereditary peerage will be broken.

The hon. Member for Woodspring (Dr. Fox)—who, I am glad to see, has been able to return to us from what I know is genuinely pressing business—asked me about new clause 12. He is entirely correct: we have had a good deal of legal advice about the matter. That advice is that the steps do not in any way contravene the Act of Union. The spirit of the Act was that there should be equal treatment between peers of Scotland and others, and that is the effect of the Bill.

I know that some have claimed that the provisions in the Act cannot be amended, but the Act has already been amended because, as the hon. Gentleman rightly pointed out, it provided only for 16 of the peers of Scotland to sit, and in 1963 that was amended to allow them all to sit. That is the measure that is being repealed. The provision of the Act of Union that allows for equal treatment is being observed.

6.30 pm

The hon. Member for Epping Forest made a number of accusations, among which was the accusation that, in not bringing what is not our proposal—or, indeed, that of the Conservative party—before this Committee for debate at this point, the Government were in some way acting to party advantage. I say—I hope she will think not unkindly—to the hon. Lady that that was a Freudian slip. If there is party advantage in the matters that we are debating today, it rests, and it has always rested, overwhelmingly with the Conservative party. It is hard to avoid the conclusion, listening to the debate as I have over recent hours, that Conservatives are seeking by hook or by crook to defend that advantage.

The Bill may yet, particularly in the light of that attitude and that fight, need to be subject to the Parliament Acts. If it be so, and the Government hope that it will not be so, the Bill as presented should be the Bill that leaves this House.

Mr. Evans: Is that a threat?

Mrs. Beckett: That intervention trivialises this place. It was not a threat. The hon. Gentleman and some of his hon. Friends have, rather foolishly in my view, accused the Government of blackmail in what we are doing. We are putting before the Committee the proposals that we want to see pass into law. That is not blackmail. That is carrying out the principle, the purpose and the proposals in our manifesto.

If Opposition Members want to speak of blackmail, what would they call suggestions and indeed threats to use the powers of the House of Lords—what were the words?—and hooligan behaviour to disrupt utterly the Government's programme, opposing everything that the Government seek to do on health, education and crime at every step of the way? *[Interruption.]* I am sorry. The hon. Member for South Staffordshire (Sir P. Cormack) and hon. Members on his Front Bench did not say that, but it was said in the House of Lords by Members of the House of Lords who, as he well knows, have the power to make good that threat.

The Government are not blackmailing anyone. We are making sure that we have the opportunity to put into effect in our legislation the proposals in our manifesto. It is simple and straightforward.

Mr. Hawkins *rose—*

Mrs. Beckett: I am sorry. We have had many hours on the matter and all the points have been aired.

Question put, That the amendment be made:—

The Committee divided: Ayes 125, Noes 326.

Division No. 68] **[6.33 pm**

AYES

Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Streeter, Gary
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Desmond Swayne.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Austin, John
Baker, Norman
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Rt Hon Derek
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stunell, Andrew
Swinney, John
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*

Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Willis, Phil
Wills, Michael
Winnick, David
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and
Mr. Clive Betts.

Question accordingly negatived.

Mr. Robert Marshall-Andrews (Medway): I beg to move amendment No. 13, in page 1, line 6, at end add

'or shall in future be appointed a member of the House of Lords by the exercise of patronage'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 15, in page 1, line 6, at end add

'or shall in future be appointed a member of the House of Lords by the exercise of patronage, by virtue of the Appellate Jurisdiction Act 1876, by virtue of the Life Peerages Act 1958 or by virtue of being a bishop or archbishop of the Church of England'.

No. 14, in page 1, line 6, at end add—

'(2) In this Act "the exercise of patronage" means on the recommendation of a Minister of the Crown.'.

New clause 3—*Appointments Commission (No. 1)*—

'(1) There shall be an Appointments Commission.

(2) The Appointments Commission may nominate members to serve as members of the House of Lords, provided that no such person represents a registered political party.

(3) A registered political party shall be entitled to nominate one member of the Appointments Commission.

(4) The Speaker of the House of Commons shall nominate members of the Appointments Commission who represent no registered political party.

(5) There shall be more members of the Appointments Commission nominated under subsection (4) than nominated under subsection (3).

(6) For the purposes of this section, a registered political party is one registered under the provisions of the Registration of Political Parties Act 1998.'.

New clause 4—*Appointments Commission (No. 2)*—

'(1) There shall be an Appointments Commission.

(2) The Appointments Commission may nominate members to serve as members of the House of Lords, provided that no such person represents a registered political party.

(3) The Speaker of the House of Commons shall nominate members of the Appointments Commission.

(4) No member of the Appointments Commission shall represent a registered political party.

(5) For the purposes of this section, a registered political party is one registered under the provisions of the Registration of Political Parties Act 1998.'.

New clause 5—*Appointments Commission (No. 3)*—

'(1) There shall be an Appointments Commission to advise on the proportion of Members of the House of Lords who represent each registered political party and to nominate persons to serve as members of the House of Lords who represent no registered political party.

(2) When advising on the proportion of members of the House of Lords who represent each registered political party, the Appointments Commission shall adopt the following procedure:

(a) For each registered political party, the number of votes received by that party at the last general election shall be divided by the number of members of the House of Lords who represent that party.

(b) The number of electors who cast no vote at the last general election shall be divided by the number of members of the House of Lords who represent no registered political party.

(3) If the figure calculated under subsection (2)(b) is less than all of the figures calculated under subsection (2)(a), the Appointments Commission shall recommend that the party (or one of the parties) with the highest figure calculated under subsection (2)(a) may nominate a person to serve as a member of the House of Lords.

(4) If the figure calculated under subsection (2)(b) is equal to or greater than all of the figures calculated under subsection (2)(a), the Appointments Commission shall recommend the nomination of a person who represents no registered political party.

(5) Each registered political party shall be entitled to nominate one member of the Appointments Commission.

(6) The Speaker of the House of Commons shall nominate members of the Appointments Commission who represent no registered political party.

(7) There shall be more members of the Appointments Commission nominated under subsection (6) than nominated under subsection (5).

(8) For the purposes of this section, a registered political party is one registered under the provisions of the Registration of Political Parties Act 1998.'.

New clause 17—*Establishment and function of Appointments Commission*—

'(1) There shall be an Appointments Commission

(2) The function of the Commission shall be to make recommendations to Her Majesty for the creation of life peerages; and no life peerage shall be created except in pursuance of such a recommendation.

(3) Before recommending to Her Majesty that a life peerage be conferred upon a person who is a member of a registered political party, the Commission shall consult the leader of that party, but shall be under no obligation to recommend any person nominated by the leader.'.

New clause 20—*Creation of life peerages*—

'(1) During the period while this Act remains in force, recommendations by the Appointments Commission to Her Majesty for the creation of life peerages shall be made in accordance with the following provisions of this section.

(2) Not more than twenty two recommendations shall be made during any period of one year.

(3) Not more than seventeen of the recommendations referred to in subsection (2) shall be for the conferment of a life peerage on a person who is a member of a registered political party; and such recommendations shall be made in proportion to the respective numbers of votes cast for registered political parties at the previous General Election.

(4) This section does not apply to peerages conferred under the Appellate Jurisdiction Act 1876 or to peerages conferred by law and custom on archbishops and bishops of the Church of England.'.

Amendment No. 11, in title, line 2, after 'about', insert

'appointments to the House of Lords and'.

Mr. Marshall-Andrews: The amendment, which stands in my name and those of several hon. Members, would curtail the use and the endowment of patronage in the appointment of Members of the House of Lords and, by parity of reasoning, thereafter any Chamber that replaces the House of Lords in due course.

[Mr. Marshall-Andrews]

Like the Bill, the amendment is poetically simple. Like the Bill, it is brief, but perfectly formed. Like the Bill, it is modest in its aims and in its aspirations. Also, it is entirely consistent with the aims of the Bill—so consistent that it has been a matter of disappointment to me and those who tabled the amendment that the Government have not felt able to adopt it in this otherwise outstanding legislation.

To understand why I say that the amendment is consistent with the aims of the Bill, it is necessary to analyse the true iniquity of the hereditary principle. In Committee, we have spent considerable time debating those iniquities. Primary among them is the obvious iniquity of power being delivered by inheritance. We have said on many occasions that, at the last knocking of the 20th century, it is entirely appropriate that we should, as a matter of urgency, set about creating a genetically modified, or at least a genetically nullified, second Chamber.

All those arguments ignore the true vice of the hereditary principle—deferred patronage. Not one person who sits in the House of Lords by reason of the hereditary principle did not, at some stage in his family history, owe that fact to either the patronage of politicians or the largesse of kings.

I have no hesitation in saying that history dictates to us that patronage is the curse and the blight of the British political system, and has been for 700 years. The way in which that patronage has been exercised over 700 years has always tended to corrupt for the simplest of all possible reasons: it is transparently the personal donation of favour. The personal donation of favour will always carry with it the reciprocal responsibility that should be aired, and reciprocal responsibilities are the handmaiden of corruption. I suspect that my right hon. Friend the Leader of the House, for whom I have boundless respect, would find it difficult to disagree with those remarks.

Mr. Gerald Howarth (Aldershot): Does the hon. and learned Gentleman think that Sir Winston Churchill was corrupted by the award of the honour of a knighthood for services to our country?

Mr. Marshall-Andrews: The hon. Gentleman is one of the great mediaevalists in the Chamber, and one of the very few who has stood fast by the hereditary principle. I admire him enormously for that, but he has failed to listen to what I said. I said that patronage always tends to corrupt. Many people may avoid corruption, but the tendency to corrupt in the body politic is everything. I hope that that is a consistent and reasonable answer to the hon. Gentleman's interesting intervention.

Sir Patrick Cormack: Do the hon. and learned Gentleman's objections to the hereditary principle extend to the monarchy?

Mr. Marshall-Andrews: Yes. I have no hesitation in saying that I am a republican, and have been for as long as I can remember. I am perfectly happy to debate that issue with the hon. Gentleman at any time and in a more convenient place. The two issues are not unrelated. Many republicans in the House will find it easy to support the terms of the Bill and the amendment.

Sir Teddy Taylor (Rochford and Southend, East): Will the hon. and learned Gentleman give way?

Mr. Marshall-Andrews: I think that, at this rate, my speech will take a long time. Yes, of course I shall give way.

Sir Teddy Taylor: I shall try not to hold up the hon. and learned Gentleman for long. Do the objections about hereditary peerages that he quite sincerely makes apply also to life peerages? Who does he think should sit in the second Chamber? Is he proposing an elected senate, or nothing at all?

Mr. Marshall-Andrews: It will not surprise the hon. Gentleman to learn that that is the kernel, the gravamen and the purpose of the amendment. Briefly, the answer to his first question is yes, and the answer to his last question is no. I shall come back to those issues if I may.

The Chairman: Order. I am sorry to interrupt the hon. and learned Gentleman in full flow, but I hope that that is the end of that particular exchange. We must not have a Second Reading debate now: we must deal with the amendment.

Mr. Marshall-Andrews: I accept your rebuke, Sir Alan, on my own behalf and on behalf of the hon. Member for Rochford and Southend, East (Sir T. Taylor).

We should examine the principle and the historical vice of patronage—while, of course, staying well within the terms of the amendment. Those who, throughout history, have criticised and been in the front of voicing dissent about the use and the endowment of patronage have always found themselves in some considerable danger. If we make our dissent clear now in the liberal world that we inhabit, the only danger that we face is that we irritate our Whips. Terrible though that may be, it is a great deal better than being burnt.

It is worth recording that Henry VIII invented the unique torture of being boiled alive for anyone who dissented from the use of the king's patronage or his use of the prerogative to appoint whom he so wished, such as Cranmer. It has occurred to me—staying well within the parameters of the amendments, Sir Alan—that, had I made these or other observations at the time of Cardinal Wolsey, I would have been put on the barbecue a long time ago.

The Chairman: Order. It may help the hon. and learned Gentleman to know that those powers are not available to the Chair.

Mr. Marshall-Andrews: That is why I provoked you, Sir Alan. I gather some comfort from the fact that, were such torture ever to be visited on me, my hon. Friend the Member for Thurrock (Mr. Mackinlay) would be on a nearby bonfire.

The true vice that underpins and underlines the amendment is not merely the principle of appointment by patronage to the House of Lords or to any such House that should replace it: there is a far worse evil. Governments of all shades and of all political persuasions have, since 1974, admirably shown that unelected peers can be placed in the House of Lords by the use of patronage, and ere their bottoms have hardly touched the red leather of the House of Lords, they are imported straight into the corridors of power and of government.

All parties of all shades of political opinion have made such appointments—the Labour party is as guilty as the Conservatives, if not more so. Since 1974, 140 unelected appointments have been made to the heart of government from the House of Lords. Those people were often elevated to the House of Lords for the express purpose of placing them immediately in the centre of government.

Not for those gifted and gilded people is the impertinence and inconvenience of election. Not for them, as for all hon. Members of this House, is the impertinence and inconvenience of the drudgery of tramping up more and more steps, of listening endlessly to our electors and our electorate, and of proselytising for our Government or for the Opposition whom we hope will replace the then Government. Not for them is the problem of listening to the lamentations of the poor, the sick and the disabled time after time, week after week in our surgeries and during our election campaigns.

Mr. David Winnick (Walsall, North): I do not accept patronage, but it is interesting that Ministers are subject to patronage, and, for all I know, even Speakers and Deputy Speakers are chosen by patronage. What about my hon. and learned Friend's own profession as a lawyer? Do we elect judges and Queen's counsel? The barristers who apply to be QCs are appointed by the Lord Chancellor. Such appointments are all forms of patronage.

Mr. Marshall-Andrews: I could not agree more. I am delighted that my hon. Friend made that point. I do not want to stray outside the bounds of the amendment—I see the expression on your face, Sir Alan. I am being tempted, but I shall not stray from the point, save to say that if my hon. Friend had listened to the many debates in which I have been involved on how judges and QCs should be appointed, he would know that I am as against the powers and the use of patronage in those circumstances as I am in this case. I have always regarded the vice of patronage as a particularly British vice, and we now finally have the opportunity to deal with it.

Mr. Winnick: Elect the judges.

7 pm

Mr. Marshall-Andrews: It is difficult for me to hear my hon. Friend, so if he does not mind I shall continue with my speech.

Opposition Members have referred to the high quality of Members of the House of Lords, not only the hereditary peers who not infrequently make their contribution but the life peers. I endorse what they have said. I also endorse what was said by the Leader of the House, both during today's debate and on Second Reading, when certain caddish imputations were made against the Leader of the House of Lords on the basis of her lineage. My right hon. Friend, immediately and spiritedly, leapt to her defence, pointing out that she is a woman of outstanding intellect and ability. Let me add that, as well as possessing a luminous intellect and an immense political capacity, the Leader of the House of Lords has the great attributes of grace and wit.

After that uncharacteristic fawning, let me also say that the Leader of the House of Lords has no place in Government. I have not the slightest doubt that, if she were elected to the House of Commons, she would be an adornment to Government, and I would be the first to say so; but she has not been.

Mr. Christopher Leslie (Shipley): May I return my hon. and learned Friend to the subject of his amendment? Amendment No. 14 states simply—my hon. and learned Friend has spoken of the need to be short, concise and simple—

> "In this Act 'the exercise of patronage' means on the recommendation of a Minister of the Crown."

If the amendment were passed, the Government could not nominate anyone to the House of Lords, but, as I read it, the Leader of the Opposition or the other political parties could do so. Why does my hon. and learned Friend seek to punish only the Labour party and the Government?

Mr. Marshall-Andrews: If my hon. Friend has not yet considered a career in the Cratchit area of the law, he should do so at once.

All appointments to the House of Lords are made on the recommendation of a Minister of the Crown. That is the prerogative of Ministers, although as a matter of convention they take account of recommendations made by the Opposition. However, I should be happy to discuss with my hon. Friend the possibility of a small technical amendment, in the spirit of statutory constructiveness. I always enjoy that, and I suspect that my hon. Friend understands full well what I was saying.

Two counter-arguments may well be raised against what strikes me—and, I hope, many others on both sides of this elected Chamber—as a transparently incontrovertible argument. The first is that the legitimacy of the electoral principle, which is fundamental to all my political beliefs, has been eroded by the power of the party political machine. Because the party political machine has so much power, it may be argued that a second Chamber consisting of nominated Members who have undergone, say, the Nolan tests is necessary to combat that power. My bisyllabic answer to that is "Rubbish". The party machine is only as powerful as we wish it to be: we can control our own party machines, and should not necessarily lie down in front of them.

In any event, although we all stand in the middle of the party machines, the fact that I am a member of the Labour party and have been for 30 years is simply a shorthand way of telling my electorate in the clearest terms what I believe, and have believed fundamentally for all that time. I need not stand on their doorsteps and tell them that I believe in the national minimum wage, that I believe in devolution or that I believe fundamentally in the precepts of the welfare state, because all that is implicit in the fact that I am a member of the Labour party and stand on that ticket. I must, however, persuade them that I will be industrious, and that I have the ability to listen to their lamentations. If I fail, I will fail the test of the electorate—and that happens.

[Mr. Marshall-Andrews]

It is sometimes said that it is axiomatic, and part of a well-known rubric, that in certain areas a donkey could be elected. In certain areas a donkey standing either for Labour or the Conservatives could indeed be elected, but in many it could not. I suspect that 50 or 60 former Conservative Members who lost their seats after the coming of the grim reaper in 1997 are saying, "I lost by only a few hundred votes. I might not have lost if I had been a better constituency Member." Others may be saying, "I won by only a few hundred votes. Thank God I was as diligent and conscientious as I was." The electoral principle is still fundamental to all that we do in this Chamber.

The second counter-argument, which the Leader of the House may raise, is that in the White Paper, although not in any statutory enactment, there is an undertaking on the part of the Prime Minister to divest himself voluntarily of certain of the powers of patronage that he holds, and to invest them in a commission. The commission will, of course, be appointed by him. It will deal with Cross Benchers, and the Prime Minister will aim for rough parity between the parties. That, incidentally, will mean the creation of some 95 Labour peers. When those 95 are there, to redress the balance in relation to the 90-odd hereditary peers who will remain when the rotten peg is kicked away—as it will be in due course—we shall have a built-in majority of 90-odd Labour peers. The next time—pray God, in many millennia—the Conservative party, or some other party, takes power, it too will redress the balance, and the whole wretched business will start again.

The time has come for us to take control of our elected destiny, and the Bill can enable us to do so. The amendment can undoubtedly be supported by those who believe in a wholly elected Chamber—of whom there are many—and by unicameralists like me. As I said the other day, it distresses me more than I can say to hear hon. Members on both sides of the House say that we need a House of Lords to act as a check on the Executive. We are the check on the Executive, and always should be. People say that we have not the time to be a check on the Executive, because of the overwhelming amount of legislation. That argument takes no account of the fact that devolution will take much of the burden from us, and the fact that the Executive should bear the burden of serving legislation to us in a form, and with an agenda, with which we can deal properly over a parliamentary Session, rather than delivering it to us in its present form.

Mr. Shepherd: If I heard the hon. and learned Gentleman correctly, he said that the amendment could be supported by unicameralists and those who believed in an elected House. What about the Appellate Jurisdiction Act 1876, relating to the Law Lords? What about the bishops? The amendment does not remove them, and the hon. and learned Gentleman has not commented on that aspect.

Mr. Marshall-Andrews: I can only say that, in the overall sweep of the proposed measures, I have left the bishops behind. I have discussed the Law Lords with the hon. Gentleman, and I have no quarrel with the concept of their sitting in a second Chamber. As for the bishops, I would be minded to accept the hon. Gentleman's amendment.

Mr. Phil Hope (Corby): The more I listen to the debate and the interventions from various parts of the Chamber, the more it seems that my hon. and learned Friend is plunging us into a debate on patronage in uncharted waters. Surely he recognises that the arrangements for a transitional House and for a royal commission that will operate according to a strict timetable and which will deal with those issues directly and comprehensively, offers a far better approach than the amendments.

Mr. Marshall-Andrews: That intervention distresses me a little. I anticipated that someone would say, "That is the business of a royal commission. Whether we will be saddled with patronage into the next millennium is a matter for a royal commission of the great and good." We have seen them and they are the great and good, I suppose. I suspect that nothing very radical will come out of the royal commission; in fact, I would wager quite a lot of money that nothing radical will come out of it. The idea that the House of Commons does not understand the elementary principle of patronage and must therefore ask a royal commission of the great and good to tell us whether we should continue with legislation that would allow a second Chamber to be appointed by the patronage of politicians is an abnegation of our responsibility.

Mr. Hope: Surely the whole point about the royal commission is that the report will come back to a Joint Committee of both Houses and will be decided on by the House of Commons. My hon. and learned Friend's argument is completely defeated by the point that he has just made.

Mr. Marshall-Andrews: There is a touching faith in royal commissions and in Joint Committees of the Houses of Parliament, but one of the problems with the royal commission is that its remit is far too wide. It has not been asked to tell us how to do something that we want to do; it has been asked what we should do.

There is no problem with the House of Commons saying to a royal commission, "You can go away and tell us by comparative studies"—and with a large and very expensive secretariat—"what the options are," but the two options that we are—

The Chairman: Order. I have allowed the hon. and learned Gentleman to embroider his arguments to make his case, but he has now embroidered far enough. This is not a general debate about patronage. It is specifically about whether patronage should be exercised in particular circumstances. He must come back to the narrow confines of his amendment.

Mr. Marshall-Andrews: I accept that stricture entirely.

I finish with a unicameralist point, which falls strictly within the ambit of patronage and raises the question of whether we should press the amendment. It is as well that we realise in the House of Commons that continually clinging to the existence of a House of Lords, whatever the means by which it is elected—whether it be through patronage, whether people are pushed or driven in from the streets, or whether they are appointed by lottery—is an admission that it is an alibi for our shortcomings. For that reason, I have moved the amendment and will listen with interest to what the Government have to say.

Mr. Tyrie: I have much sympathy with what I have just heard from the hon. and learned Member for Medway (Mr. Marshall-Andrews). I particularly agree that there does not seem to be any need for the royal commission to take a look at patronage. The terms of my new clauses are much narrower and more closely confined than the hon. and learned Gentleman's sweeping effort to attack patronage.

I have tabled two new clauses. The first, new clause 17, is designed to remove the direct power of patronage from the Prime Minister to appoint his people to the House of Lords. Its intention is to reduce the extent to which appointments, or the promise of appointments, to the Lords can be used as a tool of control. It is intended to increase the likelihood that appointments will be made on the ground of someone's capacity to play a constitutional role in the Lords, rather than merely as a means of bestowing an honour.

The main function of a second Chamber should not be to serve as some elaborate lollipop for superannuated commoners, or friends or cronies of the Prime Minister of the day. It should be a place that is not just capable of exercising some constitutional check on the Executive, but which is keen to do so. Therefore, new clause 17 gives absolute discretion to the Appointments Commission to make recommendations to the Prime Minister.

I may be a little optimistic, but my impression is that the White Paper half agrees with that approach. It reads on page 45:

> "There would be a case for considering an enhanced role in overseeing this process"—

political appointments—

> "for the Appointments Commission, if it continued to function",

that is, after the interim period.

Without my new clause, most patronage powers will still be in the hands of the Prime Minister, even after the Bill is passed. With it, at least some of those powers with respect to the Lords will be at one remove. He will, of course, appoint the appointees, which is why I have tabled new clause 20.

7.15 pm

New clause 20 takes the powers of new clause 17 further. It limits the number of appointments that can be made in absolute terms in any one year. Even if a Prime Minister succeeds in exercising disproportionate influence over the Appointments Commission, the new clause will still restrict his power of patronage. It should eliminate the process of packing the Lords.

Dr. Phyllis Starkey (Milton Keynes, South-West): Will the hon. Gentleman give way?

Mr. Tyrie: I will in a moment.

The numbers set out in new clause 20 may look odd at first, but they are straightforward. Subsection (2) limits the overall number of appointments in any one year to 22. That figure is the average annual number of appointments to the House of Lords since 1958, when life peerages were introduced. Under subsection (3), only 17 of those would be permitted to be explicitly party political appointments.

At the moment, 25 per cent. of surviving peers created since 1958 are Cross Benchers and 75 per cent. have stated party political affiliations. I have applied the same 75:25 ratio in a rough and ready way to the figure 22 to arrive at 17. It comes out at 16.5; rounded up, it is 17. That is where the figures 22 and 17 come from.

Under subsection (3), political appointments would have to be made in proportion to the votes cast for each party at the last general election.

Dr. Starkey *rose*—

Mr. Linton *rose*—

Mr. Tyrie: I will give way to the hon. Member for Milton Keynes, South-West (Dr. Starkey) first.

Dr. Starkey: It was precisely that point that I wanted to take up. Has the hon. Gentleman done a mathematical model of how his proposals would work out? I confess that I have not, but it seems that, with the creation of 17 life peerages a year, it would take an unconscionable time for us to achieve anything near parity between the Labour party and the Conservative party. Has he been so good as to create the background computer model so that we know how many years the process will take?

Mr. Tyrie: I do not agree that that is the right approach to achieve proportionality. My new clause is not targeted at achieving that objective, but may I suggest another way to achieve proportionality, if that is what the hon. Lady so desires? We might, for example, introduce a retirement age at 75. A disproportionate number of elderly life peers are Conservative. I think that she will find, if she looks, that a retirement age of 75 would deliver exact proportionality between Labour and Conservative life peers.

Addressing that issue is not the purpose of the new clause; indeed, I would be straying from my intention if I did so. The purpose of the new clause is broadly the same as that of the amendment tabled by the hon. and learned Member for Medway.

Mr. Linton: Will the hon. Gentleman give way?

Mr. Tyrie: I will, but then I must get on.

Mr. Linton: I am glad to hear that the hon. Gentleman's sights are set on the target of patronage, but would not the consequence of the new clause be to retain for ever the Conservative party's stranglehold on the House of Lords?

Mr. Tyrie: I have just tried to answer that point by pointing out that it will do no such thing. That is contingent on whatever other changes are desired. That is not the purpose of the new clause. I have already suggested one alternative route that I considered taking, which I have discussed with the Clerks; I may yet table an amendment as a means of moving in that direction.

[Mr. Tyrie]

Subsection (3) of new clause 20 would provide that political appointments should be roughly proportional to the votes cast at the previous general election. Applying that principle—bearing in mind the run of Conservative victories—should imply not a House of exact proportionality but one that would inevitably, because of the time lags involved, leave rather more Conservative peers in the upper House than the number of Labour peers there are now. If Labour succeeded in winning a string of general elections, the position would be reversed. Appointment by strict proportionality does not imply a House that is always in exact balance.

On that I pray in aid of my subsection the Labour party manifesto, which reads:

> "Our objective will be to ensure . . . party appointees . . . more accurately reflect the proportion of votes cast in the previous General Election."

Therefore, by implication, Labour is accepting the principle that numbers in the upper House should not always—because of the possibility of a string of general election victories by one party—be exactly even.

I shall not deal with the details of subsection (4) save to say that it would exclude bishops and judges from the provisions of the new clause.

I think that the practicality of my new clauses deserves a moment or two of consideration. The Registration of Political Parties Act 1998 gives us some hope that the new clauses could be practical amendments and provides, for the first time, clear definitions of what constitutes party political affiliation. All parties are currently in the process of creating formal registration systems. Although I did not consider it worth adding to the new clauses to deal with the matter, I think that a sensible approach to it would be that, when an applicant is being considered for a peerage by the Appointments Commission, he or she should be required to sign a declaration stating whether he or she had any party political affiliation.

The case for addressing the patronage issue has already been made eloquently today. However, I should like to address the issue in a different—perhaps less emotional, or less trenchant—manner than that of the hon. and learned Member for Medway.

Patronage has been a problem in Lords reform for very many years—going back well before the Life Peerages Act 1958. Many of those who considered the issues concluded that the power of patronage is a severe drawback, if not a complete bar, to the likelihood of ever enabling a fully appointed upper House to work effectively.

It is important to bear in mind that the Lords will become a fully appointed House, unless the Weatherill amendment is passed. It is worth recalling the conclusions of several of those who have given thought to the issue in the past. Winston Churchill, for example, in a 1925 memorandum to a Cabinet Committee—which, as it happens, was a Conservative one which was working up proposals for a partly elected upper House—wrote:

> "Once a chasm has been cut between past and present mere nomination"—

of peers—

> ". . . will be a trumpery foundation. The nominated senators, or whatever they were called, would owe their position solely to the favour of a party leader."

Although that was Churchill's view with a Conservative hat on, that was also his view when he was a Liberal. As early as 1907, in a political journal, he argued:

> "Abruptly we may dismiss all those ingenious plans . . . for creating an august senate of unrepresentative persons."

As it happens, for most of the interwar period, Churchill wanted an elected upper House. As he said:

> "If we are to leave the venerable if somewhat crumbled rock on which the House of Lords now stands there is no safe foothold until we come to an elected chamber."

I think that the reform that we are considering will find itself moving inexorably and inevitably in that direction.

Concern about the power of patronage in an appointed House was one of the reasons why Churchill concluded that an elected Chamber would eventually be the end point of any reform, and why he ended up supporting one.

Worries about the power of patronage have, of course, pursued more recent reformers. The original reform proposals thought up in 1958, which led to life peerages, were much more sophisticated than the ones that finally ended up on the statute book. The Conservative committee that was thinking through those proposals originally argued that, in the long run, there should be a ceiling on the number of peers serving in the upper House. Any ceiling inevitably means that the annual number of appointments becomes limited to vacancies by death.

Richard Crossman was one of the very few serious Labour thinkers on those issues—the right hon. Member for Chesterfield (Mr. Benn) also is a distinguished member of that group. Richard Crossman's 1968 proposals also contained a de facto limit on patronage. I shall not describe all the details of those proposals, as I am sure that the Committee would find it incredibly boring if I were to do so.

The Home report, which was produced by the Conservative party in the 1970s, also proposed capping the size of the House of Lords, at about 400. That would have limited patronage in much the same way as the 1958 proposals.

I quite deeply regret that a belt-and-braces approach—such as I am proposing—to the restriction of patronage is required. However, clearly, the worst fears of some of those who had concerns earlier in the century about the relationship between an entirely appointed House and patronage are now being realised.

No one would suggest that, over the years, all the abuses have been on one side. Historically, perhaps Liberal abuses of the power of patronage towards the beginning of the century are the most salient and the most memorable. But the problem has recently turned into a crisis, as every conceivable convention on the appointment of peers is being overridden by the current Labour Government. I shall confine myself to only two such breaches of precedent.

The first is that the current Prime Minister is appointing a higher proportion of Labour peers, as against other parties, than ever before. More than 50 per cent. of his appointees take the Labour Whip. By convention, since 1958, the percentage has never risen above 50 per cent. Since 1958, Callaghan, Wilson and my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath)—all Prime Ministers—kept the percentage below 50 per cent.; not once has it risen above 50 per cent. Now, under the current Prime Minister, it is rising above 50 per cent.

The second precedent—and its breach is more serious—goes back hundreds of years. Packing the Lords has always been regarded as unconstitutional. On all previous occasions when swamping or packing was considered, it was justified on only one ground: the need to avoid gridlock between the two Houses. That held true in the very first case that I know of—in 1713, to pass the treaty of Utrecht—as it did during passage of the great Reform Act 1832, when, rather as with the treaty of Utrecht, the threat was to create a dozen or 15 peers. In 1911, the threat was to create about 100 peers, or possibly even 200 peers, to pass the Parliament Act 1911 and to end the gridlock.

The 1911 Act—with its limitation on the power of delay, followed by the further limitation, in 1949—removed the justification of packing the upper House to deal with gridlock, as it removed that gridlock.

The plain fact is that—right now—the Prime Minister is packing the Lords, in breach of a centuries-old parliamentary convention.

Mrs. Dunwoody: I should not like to suggest that the hon. Gentleman is being slightly selective in his rendition of history, but the reality is that—whatever one thinks about the creation of large numbers of life peers—over a number of years, previous Prime Ministers' refusal to appoint Labour peers created the disastrous imbalance. If those who support the hon. Gentleman's amendments had been prepared to put pressure on the previous Conservative Prime Minister, we might not be facing the current situation.

Mr. Tyrie: I do not have the figures to hand. For a time in the 1970s, of course, Labour did not make nominations to the upper House. Had it done so, those nominations would have become appointments. A very long-standing convention holds that some Opposition nominations for peerages should be accepted. As I said, there has always been an acceptance of the need for balance, which requires that less than 50 per cent. of appointments by any Prime Minister should be for his own party.

Historically, we have had an average of 22 peers appointed a year. We now have an average of 66—three times the previous annual rate. If that is not packing, I do not know what is.

7.30 pm

Mr. McWalter: Would the hon. Gentleman like to reflect on the fact that every Conservative Prime Minister finds the upper House already packed in his favour and any Labour Prime Minister is trying only to mitigate the damage?

Mr. Tyrie: Several hon. Members have referred to the effect that my amendment would have on the balance. I have tried to explain that it is not designed to deal with that. I am trying to deal with the exercise of patronage by the Prime Minister to control his party.

Mr. Tony Benn (Chesterfield): The hon. Gentleman is giving us a scholarly account and a detailed remedy. Has it occurred to him that there is an alternative to the elaborate schemes of percentages and numbers? Let the people decide who is in the House of Lords—which I hope would not be called that—just as happens for the House of Commons. I was in the House in the early 1950s when successive Colonial Secretaries came forward with proposals for colonial administrations. They sounded exactly like the hon. Gentleman's proposal, giving a certain number to the Governor, a certain number to the white community, a certain number to the black community and so on. Democracy has a refreshing simplicity and acceptance. The hon. Gentleman should consider it when he gives further thought to the issue.

Mr. Tyrie: The right hon. Gentleman is right. I am not supposed to advertise in the Chamber, but I commend to him my paper on the subject. I came out in favour of an elected upper House some time ago. That remains my view, just as it has been the view of a large number of Conservative thinkers throughout the century, including Curzon, Churchill, F E Smith, Lord Home and Lord Carrington. I am not alone.

For much of this century, the Labour party has been in favour of unicameralism, as is the hon. and learned Member for Medway. Three times this century it has been part of Labour manifestos. I realise that I am being dragged into a digression, but it is important to bear in mind that the great divide in the Chamber on the issue—some divides cut across parties—is between the unicameralists and the bicameralists. The majority of bicameralists have been Conservatives. Unicameralism has always flourished better among Labour Members.

I shall conclude my comments on the scale of the patronage that we are talking about. [Hon. Members: "Hear, hear."] It is interesting to hear that Labour Members feel that it would be a good idea for the Prime Minister to hang on to the patronage that he is exercising and abusing.

The figure of 66 new peers a year excludes several peerages that have been given to those who are registered as having given large donations to the Labour party but have decided to sit on the Cross Benches. That figure of 66 and my points about party balance understate the real situation. The Prime Minister is clearly abusing his powers of patronage, as they have been exercised by all previous Prime Ministers. I regret that the customs that had built up around appointments to the Lords have been so flagrantly abused and ignored. I regret that my amendments have become necessary, but they have and I urge the Committee to support them.

Mr. Benn: These debates have been among the most interesting ever. An understanding of our constitution and the House that is not normally available to us has emerged from our exchanges. I listened to the hon. Member for Chichester (Mr. Tyrie) with great interest. The colonial parallel came readily to mind.

We boast of democracy, but, when I was born, women were not trusted with the vote until they were 30. We have had a Parliament for 700 years, but only in my lifetime has the principle of universal adult suffrage been accepted. I do not believe that democracy is as deeply entrenched in the hearts and minds of parliamentarians as some hon. Members believe.

Mr. Wells: Would the right hon. Gentleman like to reflect on those colonial constitutions?

The Chairman: Order. I do not think that any such invitation should be proffered and it should certainly not be accepted.

Mr. Benn: I could refer the hon. Gentleman to some of my writings on the subject, but I shall not detain the Committee.

These debates have clarified the position. The Government have no policy for a second Chamber. The Opposition have no policy for a second Chamber. I am not making a party point. This is a more serious point—nobody wants to change the House of Lords except to alter the political balance. The Conservatives are not as committed to the hereditary system as they make out. When I was 11, they got rid of a king because he wanted to marry Mrs. Simpson. If they had been committed to the hereditary system, they would have stuck with him through thick and thin. The Conservatives have done well out of the current system, so they want to hang on to it. Now that the Labour party has got to power, it sees the benefits of patronage.

Some people think that I am cynical, but I believe that there will never be a second stage. When the new Chamber is set up, it will have the legitimacy of everyone having been freshly appointed. Even the hereditary peers will just have been made life peers by the Prime Minister. No Labour Cabinet will go to them a year later and say, "By the way, we are slaughtering you and introducing a new system."

My hon. Friend the Member for North-West Norfolk (Dr. Turner) shrewdly pointed out that we want to get our legislation through. The problems that we would have had if we had tried this two years ago during our first year's legislative programme will apply next time as well. In a couple of years, when the royal commission and the Select Committee have reported, how many Labour Members will want to go over the issue again when it could endanger the rest of our legislation because the new Lords will not want the changes?

I pay tribute to my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), who made a classic parliamentary speech. We are planning to set up a second Chamber appointed by eight men and one woman—the Prime Ministers who have been in power since the Life Peerages Act 1958. Three of them are dead, so we are setting up a Chamber appointed by five men and one woman, claiming that it is better than what we have. It is not better than what we have. What we have is rotten, but we shall be entrenching patronage.

How does the Prime Minister of the day get his patronage? He harnesses the powers of the Crown. The possibility of other people creating peerages has been raised, but I am afraid that the fount of honour has only one tap—the Prime Minister. Nobody else can undo the fount of honour. The Labour Prime Minister—a socialist Prime Minister—is turning on the tap of royal patronage, allegedly to produce a better House. He will produce a House stuffed with people who have earned his approval—the largest number—or that of some other Prime Minister.

The hereditary system is unacceptable. I have always believed that we should be allowed to elect our Head of State. That point is not relevant or in order, but it anticipates a possible question. I do not say that with any hostility to anyone who holds hereditary office, because they cannot be blamed for that. If someone has a hereditary job, it is not his fault. When Harold Wilson rather foolishly attacked the 14th Earl of Home, Lord Home replied very wittily, "I presume that he is the 14th Mr. Wilson." That very clever response put Harold down in a way that did not always happen. It has nothing to do with heredity. With the balance of power that exists in the House of Lords, Labour Governments get four years and Conservative Governments get five—because the delay of a year is a veto when it comes to the fifth year.

My hon. Friend the Member for North-West Norfolk spoke with feeling about getting Bills through. I sat in many legislative committees in the Cabinet in which the party's leader in the House of Lords had to warn the Cabinet that a Bill would be delayed in the Lords. Bills are killed before they start because of the huge majority in the Lords.

As I have made clear, I am in favour of an elected House. We do not need the complexity suggested by the hon. Member for Chichester, who is skilled in history and knowledge. If every European constituency elected one man and one woman within the existing boundaries, we could have a second Chamber by 1 October. If we passed the amendment tabled by my hon. and learned Friend the Member for Medway, that would take over from the second Chamber. The idea has such simplicity that I am sure it will scare some people.

Mr. Tyrie: Does the right hon. Gentleman think that there is much likelihood of securing a largely elected House from his own party?

Mr. Benn: This debate has brought the House of Commons back into existence, as people begin to realise that patronage applies not only in the House of Lords, but in this House. After all, the Leader of the Opposition summarily sacked his party's leader in the House of Lords because he disagreed with him. Certain penalties may be incurred in my party if one steps out of line. My hon. Friend the Member for Brent, East (Mr. Livingstone) is having a little trouble because patronage is being extended in terms of the mayor of London. The debate has brought the Commons out of hiding. As my hon. and learned Friend the Member for Medway said with passion, we should have the right to decide and not be told what to do.

Mr. McWalter: Does my right hon. Friend accept that some of us may be unhappy with his suggestion, on the ground that it seems to set up a conflicting mandate—that is, it equals powers? Some of us are not of the view that a relationship similar to that between the United States Congress and Senate would be a real development, and we want to see some other way of entrenching our democracy.

Mr. Benn: I understand my hon. Friend's position, but the constitution of this country is loaded with conflicting jurisdictions, the biggest one of which is the Commission in Brussels, which can repeal our legislation without it ever coming to the House of Commons. Local government clashes with national government, and the

Greater London council clashed with Mrs. Thatcher. Arguments may develop between the Scottish Parliament, the Welsh Assembly, the mayor of London and this House. There are more nuclear weapons in this country governed by the President of the United States—who is answerable to the Senate—than there are weapons of our own. I hope that my hon. Friend will not be too tracked into the idea that there must be only one centre of power. The real centre of power is Crown power, which never comes to us at all. We could go to war without ever asking the House of Commons—and we do.

The best way is to have a small, elected second Chamber, using every European constituency, with one man and one woman for each. We would have a small Chamber representing England, Scotland, Wales and so on, and at the critical moment when the Bill was passed—with the amendment tabled by my hon. and learned Friend the Member for Medway—responsibility would be transferred. That is my conviction. I do not know whether we will do that. If we do not, it will be because neither Front Bench wants to lose the patronage that the present system and the new system give.

Mr. Gerald Howarth: The right hon. Gentleman is obviously concerned about the patronage being exercised by the Labour Prime Minister. The hon. and learned Member for Medway (Mr. Marshall-Andrews) said that we have the power to control the Executive. We are a small number on the Opposition Benches. There are a large number of Labour Members of Parliament in whose hands lies the power to control the Executive. If the right hon. Gentleman could persuade them that the Prime Minister was wrong in his excessive abuse of patronage, something might be done.

Mr. Benn: Patronage is an abuse, whoever has it. I do not want the debate to deteriorate into a silly exchange over different Prime Ministers and how many peers they have made. The existence of the power to put someone into Parliament without their being elected is an abuse of democracy. That is my conviction. It is quite straightforward; I am not attacking anyone who uses it. As I said to the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), patronage is not just about the people who get it, but about those who hope for it. Every Prime Minister is surrounded by hangers-on who hope that, if they are nice to him, they will get a peerage.

I have never forgotten that, on the day Harold Wilson resigned, I went through the Lobby with him. Everyone in the Chamber must have been through the Lobby with the Prime Minister, and there are always people saying, "What a brilliant speech, Prime Minister . . . I did enjoy your question . . . Would you come to my constituency?" On the day Harold resigned, no one spoke to him at all. The man was stripped of his patronage by his own resignation. It made a profound impression on me, which I keep to this day.

7.45 pm

I must not anticipate a Bill—for which I now have all-party support—to take all the Crown powers, including the power of patronage, from the Prime Minister and put them into this House to be authorised by vote. If we did that, we would make the final advance towards a democratic system. In Britain, we are allowed to elect only a third of our constitution; we do not elect the second Chamber and we do not elect the Head of State.

The Prime Minister's powers do not come from the electorate; once he has a majority, they come from the Crown. Until we look at all those issues together, we will not make sense. Getting rid of a few old hereditary peers will not move us a little bit closer to the democratic society in which I would like to live.

Mr. Maclennan: I, too, have a memory similar to that of the right hon. Member for Chesterfield (Mr. Benn) scorched into the back of my mind. Within five days of Harold Wilson's resignation, I went into the Members' Dining Room and saw him sitting there alone, clearly lonely. I took it upon myself to sit beside him; something I would have hesitated to do a week before, lest it be thought that I was currying favour with him.

There are other respects in which I found the development of the thinking of the right hon. Member for Chesterfield extremely interesting. At one stage, he was less enthusiastic about a second Chamber. I am happy to hear that he has thrown his weight behind an elected second Chamber. As others have said, there have been three occasions, at least, when the Labour party has campaigned for a unicameral solution.

Mr. Benn: For the record, I wrote a pamphlet 42 years ago on turning the Privy Council into a second Chamber. I do not hold to that view now, but please acquit me of being a unicameralist. I have always thought that a second Chamber had useful functions to perform.

Mr. Maclennan: I am happy to hear that, and I note the distinction between the right hon. Gentleman's position and that of the hon. and learned Member for Medway (Mr. Marshall-Andrews), whose trenchant speech and powerful statement—that patronage tends to corrupt—is one with which we all ought to agree. We witness it in this place. When the hon. and learned Gentleman said that we were elected to control the Executive arm of Government, it was an aspiration that, no doubt, he and others have voiced to the electorate. However, we must have a realisation of the corrupting effect of patronage on the exercise of that power in this Chamber.

It is partly for that reason that it is so important that we have a second Chamber—perhaps one from which no Ministers are drawn in patronage, and which does not offer the opportunities to Governments to draw into their wake those who are elected to scrutinise their activity. I would like the royal commission to consider that.

I hope that our debate and its probable outcome will not be taken by the royal commission to show that the House, not having made the amendment, pins its colours to a second Chamber in which patronage is a predominant element. Such a Chamber would be basically undemocratic. The more it is appointed, the less democratic it will be and the less value it will have in our constitution as a watchdog and a restraint on the Executive.

I do not expect the amendment to be passed, partly because the Government are committed to the view that they should not take a stand on the second Chamber's composition and powers before the royal commission has reported. As they have such a substantial majority, they will undoubtedly carry the day.

Mr. Marshall-Andrews: It is always interesting to hear the right hon. Gentleman's exposition of Government

[Mr. Marshall-Andrews]

policy, which is often much clearer than when we hear it from the Treasury Bench. If the royal commission says that patronage is an essential part of a second Chamber, will the Liberal Democrats accept that?

Mr. Maclennan: Our view is a great deal clearer than that of the Labour party. We have decided in considerable detail how we believe the upper House should be constituted. We think that it should be predominantly elected, and we have held that position for many years. As the right hon. Member for Chesterfield said, election is essential.

I argued strongly within our party that the second Chamber should be filled entirely by election, and I believe that our constitution is tending in that direction. On that, I agree with more than one Conservative Member. Once we have unlocked the issue and exposed the anachronism and anomalies, the great good sense of the British public will be brought to bear on the subject, and the views expressed by Winston Churchill as a Liberal in 1907 will be seen to be contemporary and appropriate.

It is ludicrous to have different categories of Members, some of them elected, with undoubted legitimacy, and some appointed, with questionable legitimacy. A system with two classes of citizen in the upper House simply will not last, although it may be an acceptable staging post. That is why it is not unprincipled to advocate an incrementalist approach to a written constitution.

As the right hon. Member for Chesterfield said, we have no experience of the interactions involved; more's the pity, perhaps. Without the interruptions of wars or revolutions or events such as those that brought about the fifth republic in France, these exercises in Cartesian logic are something that the British public have found exotic and have not been willing to embrace.

Mr. Gordon Prentice (Pendle): Why does the right hon. Gentleman resist the amendment, when it applies only to a transitional House and to new appointments made by patronage in that transitional House?

Mr. Maclennan: That is not how I read it. My understanding was that the amendment was designed to enunciate a principle that would have lasting force. I find it difficult to take exception to that principle; however, it is not part of the Bill, but part of what is to come. In that spirit, I hope that we can return to the matter and that the royal commission will take from this debate a sense that even those who are not willing to support the amendment will none the less judge the report by the extent to which it is committed to the principles enunciated by the right hon. Member for Chesterfield and by others, such as the hon. Member for Aldridge-Brownhills (Mr. Shepherd).

Mrs. Dunwoody: I understand the right hon. Gentleman to say that he would find it difficult to deal with two classes of Members. Am I mistaken, or does his party support, for European elections, precisely the creation of two classes of Member?

Mr. Maclennan: We support one class of Member: one elected by the British people. Election may be from different bases, but I am defending the principle of election. That is a unitary principle that cannot and should not be watered down. Granted, not all political parties have such internally democratic systems of presenting their candidates to the public as the Liberal Democrat party—but that is perhaps to follow a red herring further than is necessary in the interests of keeping in order.

I hope that the royal commission will understand that we want a legitimate second Chamber and that legitimacy is directly proportional to election. The less the Chamber is elected, the less account will be taken of it by the country and by the Government. The arguments may be wise, sophisticated, knowledgable and independent, but, if they are not delivered by elected people, they will not carry weight. The country needs a second Chamber that carries weight, which is why the principle of election should be given much greater weight than it has been given in the discussions hitherto.

Mr. Winnick: The amendment is superficially attractive, but I believe that my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) has jumped the gun and that it is inappropriate for us to decide today the composition of a second Chamber. After all, a royal commission has been appointed, so why anticipate its findings? My hon. Friend and others are at liberty to make representations to the royal commission, but when he says that patronage should be completely excluded he is saying that there is no need for a royal commission to investigate the matter, because we can make a decision tonight. I do not believe that we should do that.

Mr. Marshall-Andrews: I ask my hon. Friend exactly the same question as I asked the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan). If the royal commission says that the Prime Minister's patronage should be an important and integral part of appointments to the second Chamber, will he accept that?

8 pm

Mr. Winnick: I shall certainly deal with that in the course of what I hope will be my brief remarks.

As my hon. and learned Friend the Member for Medway has already admitted, the amendment has united Labour Members with differing views about the composition of the second Chamber. In one respect, if in one only, I agree with my right hon. Friend the Member for Chesterfield (Mr. Benn)—I do not want a single Chamber either. I believe that that would be wrong, and am very much in favour of a second Chamber. Others argue the related case that any second Chamber must be democratically elected or it will have no legitimacy.

I witnessed a similar sort of coalition in 1969, when Labour and Conservative Members united, even though normally their views were very different. How quickly time passes: I have gained some grey hairs in the intervening 30 years, but at least I am sitting in the same corner seat as I occupied then, and I was pleased to return to it after 18 years in opposition.

My hon. and learned Friend the Member for Medway asked me a question about the second Chamber. I believe strongly that a fully elected second Chamber would be a direct challenge to this House. If that were the Government's proposal, I would not vote for it. I hope that I am as democratic as anyone else. My right hon.

Friend the Member for Chesterfield spoke about the changes and reforms pioneered, to a large extent, by Labour Members. If I had been around at the time, I hope that I would have fully supported reforms such as votes for women, universal adult suffrage, and the abolition of the property qualification.

I do not believe, in expressing my opinion tonight, that I have ceased to be a democrat. I have believed, strongly and for many years, that a fully elected second Chamber—the essence of the amendment, and a proposal also made by the hon. Member for Aldridge-Brownhills (Mr. Shepherd)—is the inevitable consequence of the removal of patronage. That is why I am speaking to this amendment.

Dr. Stephen Ladyman (South Thanet): I have never quite understood the argument about the legitimacy of a directly elected second Chamber and the potential for confrontation with this House. Would it not be possible to set the precedence of this House in statute, and thereby resolve the problem?

Mr. Winnick: Of course. If the second Chamber were to be a fully democratically elected House, I have no doubt that, in the very nature of things, we would set down certain superior powers for this House. No one is suggesting that the two Houses would have equal powers.

Sir Patrick Cormack *rose—*

Mr. Winnick: What would happen in practice is that, in the event of a clash between this House and a fully elected second Chamber, that Chamber would have as much legitimacy as this House. It is bound to.

Mr. Mark Fisher (Stoke-on-Trent, Central): Of course.

Mr. Winnick: I, however, want this House to be supreme, and to be the decisive voice in law-making—

Mr. Grieve *rose—*

Mr. Fisher *rose—*

Sir Patrick Cormack *rose—*

Mr. Gordon Prentice *rose—*

Mr. Winnick: I am sorry to arouse such controversy. That was not my aim. I used to leave that to my right hon. Friend the Member for Chesterfield, but I just want to finish my point. When we were in opposition and there was a Conservative Government—and especially since we have been in government—how many times, when the House of Lords has rejected a measure, have hon. Members—Front-Bench and Back-Bench alike—dismissed that House's right to intrude in such matters? We have always claimed that we in this House decide matters, but that will not be possible with a fully elected second Chamber. We should have no illusions on that score.

Mr. McAllion: A Scottish Parliament will be a fully elected second Chamber. Why does my hon. Friend think that it will be unable to coexist with the fully elected House of Commons?

The Chairman: Order. If I may, I ask the hon. Member for Walsall, North (Mr. Winnick) to wait a moment before he responds. I think that we are getting involved in a debate that is too wide. The amendment is about the power of patronage to the House of Lords that will exist as a result of the passage of this Bill. It cannot be occasion for the much wider debate about an elected Chamber or a non-elected Chamber. Obviously, arguments against patronage might well refer to a preference for an elected Chamber, but only in passing: it is not the central part of the debate.

Mr. Winnick: I accept that, Sir Alan, and although I had a very good response to my hon. Friend the Member for Dundee, East (Mr. McAllion), your guidance means that I am obviously not in a position to give it.

Sir Patrick Cormack: Would not the hon. Gentleman agree that it is a little quaint to talk of patronage as if it exists only in the other place? In this House, the Chief Whip is the Patronage Secretary, and there are hon. Members who are desperate for patronage and anxious for preferment.

Mr. Winnick: I see that Sir Alan is wearing a worried and anxious look. Clearly, I would be in difficulties if I were to pursue that question—although I did earlier, when I mentioned judges, Ministers and the rest. Their positions are all the result of patronage, and the notion that, in itself, patronage is absolutely evil and must never be countenanced is nonsense. It is part of life—certainly it is part of every walk of political life.

Mr. Gordon Prentice: Can we not make a distinction between patronage that puts people at the heart of the legislature, and patronage in other areas of life?

Mr. Winnick: What about Ministers? They carry a tremendous amount of authority, but are not subject to any election to become Ministers. If I were able to pursue the matter, Sir Alan, I could mention people in very senior positions, perhaps outside Parliament, whose authority is very great and who are subject to appointment in all sorts of ways. Not least among them are the most senior judges in this country.

I conclude by saying that I have strong views, which I have expressed. Obviously, those who believe in a fully elected second Chamber have equally strong views. However, the purpose of the royal commission is to examine all such questions. It is right and proper that it has been set up, and it should have as much representation as possible from people with strong views such as myself, my hon. and learned Friend the Member for Medway, and many others. It is not our function tonight to make a decision about whether patronage should be excluded.

Mr. Letwin: Will the hon. Gentleman clarify something of great interest to me, if not to the rest of the House? Is he asserting that there is no problem with the supremacy of the Executive at present, and no excess of patronage in our constitution?

Mr. Winnick: No, I am not saying anything of the kind. Part of the function of this House is to keep the Executive in check. One can criticise, as Conservative Members do, and say that we are not doing our job as well as we should. That is fair enough for the Opposition, although I personally believe that Select Committees are

[Mr. Winnick]

effective. If necessary, I will be controversial and criticise the Government. I do not lack the necessary courage, but I always bear it in mind that I was elected as a Labour candidate. I was not elected as an independent, any more than was the hon. Member for West Dorset (Mr. Letwin). We must bear such factors in mind when deciding whether to take a certain line.

It is not for us tonight—although it will be in the future—to make the final decision about the second Chamber, which is what we would be doing if the amendment were to be accepted. In those circumstances, I hope that it will be rejected decisively.

Mr. Shepherd: I think that the hon. Member for Walsall, North (Mr. Winnick) should accept his peerage as soon as possible, before the amendment tabled by the hon. and learned Member for Medway (Mr. Marshall-Andrews) comes into effect.

I am truly disappointed in the hon. Member for Walsall, North, if only because he has a touching faith in royal commissions. We must remember that this House has not even had an opportunity yet to discuss the White Paper, with its extraordinary contentions. In point of fact, the amendments are a device to allow us to try to examine the shape of the House of Lords, or the second Chamber, in the future.

One of the most remarkable features of the House is that we are often denied the opportunity to discuss the most important, relevant and immediate subjects that confront us. The Bill is drafted almost to ensure that any comment we may make on the future composition of the House of Lords will be out of order. It is a nightmare, and it is nonsense.

I gave a cheer for the hon. and learned Member for Medway. It is a great privilege, of course, to be able to hear him without having to pay a king's ransom in fees, and for that reason, if for no other, some patronage should perhaps be put in his direction. I cheer, too, the right hon. Member for Chesterfield (Mr. Benn) who has voiced what many Members of the House feel. The Committee has seemed to come alive, and we are having a debate on Back-Bench amendments that have brought out a large number of Government supporters. Our depleted numbers have been well represented too. The debate has even diverted from his journey to Downing street the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan). That is a rare privilege, and we should acknowledge it.

The debate has not, however, produced the principal actors in the drama. We hardly see the Prime Minister, so important and grand is he. He can boom forth an Act that will consecrate and secure his patronage without troubling himself with its passage, or troubling us with his presence in the House. That is how contemptuous the Crown in Downing street—the right honourable Prime Minister—now is of the House of Commons.

The Prime Minister's spinning wheel has also deserted the Chamber. It would be too much to expect the right hon. Member for Hartlepool (Mr. Mandelson) to attend a debate that is clearly beyond the control of the bleeper machines with which we are all issued so that we may be summoned to address the great issues of the day.

Mrs. Beckett: I am sure that the hon. Gentleman will recognise that we have seen neither hide nor hair of the Leader of the Opposition.

Mr. Shepherd: What is sauce for the goose is sauce for the gander. My right hon. Friend the Leader of the Opposition voted, and I give a cheer for that, but a vote is one thing. The tradition and custom of the House used to be that those who seek to govern us, and who govern us only because they have the support of the majority of the Members of the House, should occasionally attend the House, if only to salute those who slave away in the salt mines to try to give effect to their will.

Mr. Gerald Howarth: My hon. Friend may recall one of the formidable episodes of the previous Government. At 4 am once we were all at a low ebb, and through the door came, immaculately turned out, the then Prime Minister, ready to attend upon debates on important constitutional matters.

The Chairman: Order. I had more or less made up my mind that the encomium to Back Benchers given by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) should cease so that he could move on to the terms of the amendment.

8.15 pm

Mr. Shepherd: I am obliged to you, Sir Alan, for a ruling that exhibits the very limitations that restrict us. We are confronted with an issue, yet we may not address its substance. I am not qualified to comment on the dress sense of my right hon. Friend the Member for Huntingdon (Mr. Major), and I was not summoned here to do so. I agree, Sir Alan, that it does not seem greatly in order to try.

The House is attempting to wrestle with a matter of importance. There is a White Paper, and we have not discussed it. We are leaping into the dark with a flurry of explanatory footnotes. The right hon. Member for Hartlepool gave us his attention yesterday and has been here today. On Second Reading, he advised us that he, and he alone, was responsible for feeding us a royal commission. He has, of course, departed the scene now.

We are grappling with an horrendous process. The absurdity is that a growing number of Members across the Floor of the House are articulating a profound belief that we should rein in the powers of Downing street. Those of us who have sat here for more than one Parliament have transferred from one side to another of the Chamber. The complaints of yesterday, which we rejected so grandly when we were in office, are now our complaints.

What gels and cements subservience into us? I was elected only by the people of Aldridge-Brownhills, just as the right hon. Member for Chesterfield was elected only by the people of Chesterfield. Our authority is not on sufferance from the Prime Minister, even one whose general policy we might support. Before us is a proposal for the future that will curtail patronage.

The right hon. Member for Caithness, Sutherland and Easter Ross has not commented on the fact that his own party leader glues his party together by the exercise of patronage. There is no question about that. For all the right hon. Gentleman's grand phrases—and his even grander equivocations—about where he stood on the terms of the amendment, I was not sure whether he, a distinguished lawyer, knew whether he would vote for or against the amendment. At the end of his lengthy speech, I was none the wiser.

I earnestly ask the House to support the hon. and learned Member for Medway. He offers a chink by which to remove patronage as the basis for future membership of the House of Lords—the same reason for which I tabled amendment No. 15. After a period, when the present beneficiaries of patronage have suspired their last at the end of their labours, we would be left with a House passing laws, but constituted only of judges and bishops and archbishops of the Church of England.

No one in Aldridge-Brownhills thinks that a serious suggestion. My constituents would be puzzled if a House were satisfactory to the Government that merely contained bishops, however worthy they may be. No matter how much we may seek out the bishops for spiritual guidance—even, sometimes, for temporal advice—we should not seek them out to make our laws. As for Law Lords, I should gladly turn to them for advice on the meaning of the laws on which we have decided, but I cannot think in truth that they should make the laws that they themselves will judge. That is why the amendment is so important.

Mr. Swayne: On the subject of bishops, is there not a danger of Cardinal Wolsey's words being fulfilled? The cardinal wished that many things were reformed, but feared that others would come after who might reform upon the reformations, and so proceeding, there would be nothing left. I fear that we are being led in that direction, and that we are unpicking delicate questions that may leave the very monarchy exposed.

Mr. Shepherd: I wish my hon. Friend well on the Bench of bishops. As for the concept of the monarchy exposed, I merely have to think of Lady Bracknell. This myth has been exploded. The Scandinavian democracies of Norway, Sweden and Denmark have no hereditary peerage to act as legislators, yet their attachment to their present constitutional arrangements is in some respects perhaps even stronger than our nation's attachment to ours.

Mr. Rogers: Does the hon. Gentleman really believe that it is impossible to have patronage in Government and society? I will briefly tell him a story about Wales. We were in opposition for 18 years. After we came to power someone asked me, "What are you doing trying to abolish all the quangos? We've been waiting for 18 years to be appointed to them". Last year, democracy was extended. Labour Members voted for that extension in the form of the Welsh Assembly and the Scottish Parliament. I do not think that we have abolished any quangos in Wales. We will now have a democratically elected Welsh Assembly and more appointed—through patronage—quangos. The two will always be together.

Mr. Shepherd: That is the wisest of observations. Of course, you would not want me to go into the ways of Labour patronage in Wales, Sir Alan. I am merely dealing with the nature of patronage in the upper Chamber. I want to grasp the principle that the hon. Member for Rhondda (Mr. Rogers) described. The Prime Minister is anxious that the hon. Gentleman's concept of patronage should not come about in Wales and is making personal visits there—more, it seems, than he makes here. His candidate for the leadership of the Labour party—

The Chairman: Order. I do not want to hear any more of that.

Mr. Shepherd: Two Members from Cardiff would dispute that, Sir Alan.

We are dealing with patronage in the House of Lords and simple principles have been annunciated. The hon. and learned Member for Medway said something important. We are the elected representatives; we are capable of accomplishing these things. We have not yet discussed the White Paper, we cannot look to the future and we are being asked to leap in the dark. The amendment was a simple device to pull the carpet aside and enable us to suggest a way forward.

I do not have overweening respect for a royal commission whose members include a former Chief Whip, a former Foreign Secretary and great bureaucrat, and a former Back-Bench Labour Member. Why does that constitute the future for democratic Government? What Act provides for it? It is in itself an act of patronage.

Mr. McWalter: Will the hon. Gentleman reflect on the idea that those who dislike those making the appointments call it patronage and those who like the person making the appointments call it judicious selection on merit?

Mr. Shepherd: I am sure that we could think up acronyms that sum up our views—judicious this, judicious that or whatever.

Let us give it a whirl and go for it; let us make this our one statement to resonate with a royal commission which has only nine months to review all these matters, forgetting the years of service and understanding of democratic principles that are represented in this Chamber. I support the amendment tabled by the hon. and learned Member for Medway.

Mr. Mackinlay: I will come to amendment No. 13 in a moment. First, I must draw the attention of the Committee to new clause 10, in my name, which would at least put a declaration of intent on the face of the legislation—

The Chairman: Order. Although I have done the hon. Gentleman the compliment of selecting his new clause, it is in a grouping under clause 4 and it would not be in order to refer to it at this stage.

Mr. Mackinlay: I take your point, Sir Alan and I will refer to the arguments advanced by my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews). The thrust of his remarks was to cast doubt about whether there will be a second stage to this reform, to illustrate the problems of the interim House, how Members would be appointed to it and the patronage that would ensue.

Before consideration of the Bill by the House, I argued with Ministers that they should give Labour Members in particular, although not exclusively, some indication that

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they intended that there should be a second stage. Problems are presented by the so-called interim House, which many of us find unpalatable because of the amount of patronage involved. I tried to persuade Ministers that the Bill should contain some indication that there would be a second stage, but they said that it could not be done. The Parliament Act 1911 contained an indication of a second stage of reform, although it did not come about—it stated that it would lead to a democratically elected House. I do not think that one can pre-judge that, although I want a democratically elected House. The architects of this legislation should have put on the face of the Bill an indication that there would at least be some form of second stage. I regret that they felt unable to do so.

I fear that, five years from now, despite the protestations of my right hon. Friend the Leader of the House, we will not have had the second stage. That will in no way be a reflection on her. On the contrary, I am certain that she intends that there should be a second stage. However, I suspect that, some years from now, when some of us are asking when it will happen, she will no longer be Lord President of the Council. She will have moved on, or been moved on. Also, the Government will no doubt then face pressures similar to those faced by others who have been committed to radical reform of the upper House. They will say that there is not the legislative time. There will be other pressures—perhaps they will not be able to get the agreement of the Opposition. I believe that the whole matter will simply be kicked into touch.

8.30 pm

I give notice, Sir Alan: five years from this date, if I am returned at the next general election, I intend to stand on a point of order and draw attention to the official record of our deliberations this evening. I shall either strike my breast while saying, "Mea culpa, mea culpa, mea maxima culpa—I was wrong," or I shall show that the Government's commitments on introducing a second stage have not come about.

The reason why I am so concerned is patronage—which is addressed by the amendment moved by my hon. and learned Friend the Member for Medway. I do not believe that it is possible to construct a method of appointment that will avoid all the problems or the sins of patronage, while giving representation to minorities, dissidents, the awkward squad, the eccentric and the bloody-minded. I put it to the Committee that all those ingredients are essential if there is to be true deliberation in a parliamentary Chamber.

It so happens that the democratic process, albeit crudely and inadequately, succeeds in throwing up the bloody-minded, the eccentric, the difficult and the truculent. Therefore, like many other hon. Members, I am drawn inexorably to the conclusion that, instead of patronage, we should have a democratically elected Chamber.

Mr. John Butterfill (Bournemouth, West): Will the hon. Gentleman give way?

Mr. Mackinlay: Yes, although I notice that the hon. Gentleman has only dipped into this debate.

Mr. Butterfill: Does the hon. Gentleman agree that it would be possible for the House of Commons to restrict the element of patronage available to the Prime Minister of the day by limiting the number of appointments that he could make and using alternative forms of patronage? My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has pointed out that judges and bishops sit in the upper House, not through the Prime Minister's patronage, but through other means. We could extend such patronage to trade unions, the Royal College of Nursing and to other professional bodies. The power of patronage need not belong exclusively to the Prime Minister.

Mr. Mackinlay: Either the hon. Gentleman has not been listening to me, or I have conveyed my argument inadequately. I am complaining not just about the patronage of the Prime Minister, but about patronage in general. The hon. Gentleman describes the great and the good, the glitterati—that magic circle of people who run the country whether the Government are Labour or Conservative. The system that he proposes will not produce people who are prepared to challenge the system.

Let me illustrate that point. As some hon. Members know, I am concerned about the democratic deficit in relation to Gibraltar. Once, in an argument with a Minister on the subject, I said that there should be representation for Gibraltar at Westminster; out of frustration, I suggested that Gibraltar should be given a seat in the House of Lords for a representative. The Minister paused and conceded that there might be something in my suggestion, but then added, "You're not suggesting that fool Bossano are you?" I tell that story because "fool" is Government-speak for someone who is truculent—an irritant. If one is truculent or an irritant, one is, ipso facto, a fool and so disqualified from receiving patronage.

That is reflected in many ways. Many Members of the House of Lords are articulate people who contribute fully to debates. However, when deciding whom we want in the second Chamber, we have to take into account human nature: I would never appoint someone who irritates me, nor would my right hon. Friend the Prime Minister or the Leader of the Opposition. We need some way of throwing the irritants up into the upper Chamber and the only way to do that is through democracy.

Despite the power of the arguments advanced by my hon. and learned Friend the Member for Medway, I was truly shocked and horrified by his suggestion that we should have a unicameral Parliament. I believe that we need an upper Chamber of Parliament that has legitimacy and some powers to frustrate and irritate the Government, whatever party is in office. I suspect that my new Labour colleagues will not be in government for ever—I hope that they last for a long time, but the ebb and flow of politics will continue in the United Kingdom—but we as legislators have to step back and recognise that we have to build in the means to frustrate the Government, whatever their colour.

I want the view of the House of Commons ultimately to prevail and I want the manifesto presented by the winning party to prevail. However, the devil is in the detail and that has to be fully examined, and that does not currently happen in the House of Commons; the upper House has traditionally had the potential to fulfil that role. I believe that we need a second Chamber that is comprised differently from the House of Commons and that can force a degree of reflection on the excesses of the

Government, or on the badly drafted legislation that, from time to time, passes with some dispatch through Commons procedures.

My hon. Friend the Member for Walsall, North (Mr. Winnick) says that such a Chamber would present a challenge to the House of Commons, but I do not accept that. Most democracies of a size similar to ours are bicameral and, overwhelmingly, they have a popular upper House that is entrenched in a written constitution. Lacking a written constitution, we could put a provision in primary legislation that the view of the House of Commons will ultimately prevail. That does not mean that there should not be a period of reflection. My hon Friend suggested that, if an upper House is elected, it will be equal to this House. First, I have demonstrated that that need not be the case. Secondly, it presupposes that the election for the other place would be held on the same day and for the same proportion of Members as the election for the House of Commons.

In an earlier debate, I expressed my view that, instead of patronage, there should be a rolling programme of fixed-term elections to another House, so that there is never at one time a snapshot that gives that House a mandate. Every Member would have legitimacy drawn from the people who elected him or her. Unless there were a massive and continual loss of confidence in a particular Government, the governing party would, even in the worst-case scenario, have a substantial, if not the largest, wedge of seats in the upper House. Of course, on occasions, the Executive would have to negotiate, work hard and persuade.

One of the problems of this place is that we have parliamentary dictatorship. That phrase was coined by Lord Hailsham—Quintin Hogg—probably in reference to the period following the 1983 general election, when there was a massive Conservative majority. Now the Labour party has a substantial majority and, although I welcome that, we need to review in detail propositions put forward by any Government with a large majority.

Mrs. Beckett: My hon. Friend should recognise—this is, I fear, a consistent pattern—that, when Lord Hailsham spoke about the dangers of elective dictatorship he was talking about the possibility of the Labour party holding such power. It never bothered him when the Conservative party was in that position.

Mr. Mackinlay: That may well be Lord Hailsham's position. He chopped and changed a great deal and moved about like a yo-yo.

The hon. Member for Chichester (Mr. Tyrie) referred to possible abuse. If I cannot persuade the Committee of my view on the basis of Quintin Hogg's expression, I ask hon. Members to reflect on the large majorities produced by our existing electoral system, which I expect will endure for a long time. Governments obviously want enthusiastically to support and push through their manifesto, but a braking mechanism is necessary so that details are considered and such foolishness as the poll tax legislation does not result. That is a classic example of legislation being pushed through the House with no brakes being applied.

Mrs. Dunwoody: Will my hon. Friend bear it in mind that the method of election can produce a direct form of patronage? For example, he might think that a bicameral system that used proportional representation or a system of closed lists, in which parties rather than individuals are chosen on the basis of their position on a list, would produce checks and balances, but I have very severe reservations about that.

Mr. Mackinlay: If I trespassed on to that subject, Mr. Lord, you would pull me up. Obviously, I have views about a revised electoral system and the methods of selecting and electing candidates for the European Parliament.

We are trying to minimise patronage and abuse, and we cannot, in this Bill, legitimately sustain the case for a parliamentary Chamber that does not have a democratic base. I say to my hon. Friends, and also to Opposition Members: surely we can trust the electorate. Why are we so afraid of democratic elections for a parliamentary Chamber? Of course there would be a change of culture and a change in the relationship between the two Houses, but so be it—I welcome that. At present, far too much is choreographed and so much is certain.

Sir Patrick Cormack: Does the hon. Gentleman acknowledge that, if we had a wholly elected second Chamber—that option may eventually be chosen—enormous power would be given to the party machines and no Cross Benchers would ever be elected?

Mr. Mackinlay: I am pleased that the hon. Gentleman has mentioned Cross Benchers: they have no legitimacy whatsoever. Whom do they represent? Only themselves. Conservative Members have said that great contributions have been made by Cross Benchers, and indeed that is so, but many people who are not in the House of Lords would have made great contributions if they had been in the Lords. We can all think of wonderful people who, no doubt, if ennobled, would make wonderful contributions in the House of Lords. The choice of appointment is arbitrary. People who are Cross Benchers are those who have found the favour of a Prime Minister or Leader of the Opposition. Even when the Bill is passed, with this fancy commission, the oligarchy of the great and the good will still make the selection. There will not be many people from Dock road, Tilbury on the list, will there?

Sir Patrick Cormack: The hon. Gentleman misses the point. Two hundred and six or 210 of the Cross Benchers are hereditary, so they are not there as a result of immediate patronage. However, as we know to our cost in this Chamber, in an elected Chamber people can be elected only if they represent a party and have a party ticket. That gives enormous power of patronage—of choice—to the party. That is the sort of Chamber that we would have.

Mr. Mackinlay: I am prepared to do battle in my party, as I do, and I will live with that. Every democracy has imperfections, and it is a fact that political parties are controlled by party managers, but, by and large, I believe that we have shown, in our respective parties, that we can cope with that, and we shall endeavour to fight our corner. I am catching the eye of the Deputy Chief Whip, my hon. Friend the Member for Manchester, Withington (Mr. Bradley), who wants me to conclude. I shall do so

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in a moment, but that is an illustration of the fact that they want to choreograph everything. They find parliamentary debates irritating.

Mr. Martin Bell (Tatton) *rose—*

Mr. Tyrie *rose—*

Mr. Mackinlay: I will give way to one independent in the Chamber.

Mr. Bell: Is the hon. Gentleman maintaining that a Cross Bencher has no part to play in this House?

Mr. Mackinlay: A Cross Bencher who is elected demonstrably has a large part to play in this House, because he has the mandate of the people to whom he presented himself at an election, but an appointed Cross Bencher has no mandate, and can speak for himself or herself only. They may or may not make common-sense contributions. In a democracy that has reached the stage that ours has, we cannot have people in Parliament who have no electoral base; it is absurd.

I urge my hon. Friends to try to prove me and other doubters wrong, by demonstrating much more forcefully that there will be a second stage. I should like to know, either in the debate or elsewhere, how the Labour party will prepare its evidence to the royal commission and whether, after that evidence has been presented to the royal commission, I am expected to sign up to whatever is presented. In this very important constitutional debate, we need some relaxation of rules of party discipline. We need the freedom to generate ideas and express them to ascertain reactions.

I suspect that, if there were a free vote in the House of Commons, there would be at least a narrow majority for a democratically elected upper House. However, we may well not be presented with that opportunity. In the absence of any constitutional convention, hon. Members are "the constitutional convention". I hope that that will be borne in mind.

I believe that my right hon. Friend the Leader of the House, or whoever replies to the debate for the Government, has a duty on this occasion to flesh out how and when the Joint Committee will work. Will it be able to take evidence? Will its sittings be limited? What will be its size and scale? There is nothing to prevent the Joint Committee from comprising the whole House. I believe that the recent Australian Constitutional Convention embraced most of the Members of the House of Representatives. We need to know that, because we are acquiescing in something without knowing all the ground rules.

8.45 pm

Mr. Wells: Amendment No. 13 is a compromise. Unfortunately, it says:

"or shall in future be appointed a member of the House of Lords by the exercise of patronage".

I would have preferred it to continue, "or shall be appointed by a member of the House of Lords by exercise of patronage"—in which case we would have left the House of Lords without hereditary peers or life peers, but with bishops and Law Lords only. In so doing, we would point up the fact that this Bill is a leap into the dark—as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) said. It is a leap into the dark because we do not know the membership of the two Chambers committee. We now know some of the composition of the royal commission—and we are all drawing our own conclusions from its chairmanship and membership as to its remit. It is certainly not intended to engage in a serious discussion about important constitutional matters—if for no other reason than it is to report within nine months.

My starting point is not the same as that of the hon. and learned Member for Medway (Mr. Marshall-Andrews). I would leave the House of Lords roughly as it is at present, with some major changes regarding retirement arrangements and size. It is a strange and a crazy place. I believe that the right to sit in a legislature by virtue of birth is crazy and unacceptable. However, I would leave the House of Lords undisturbed because it is doing some useful work—which I acknowledge and pay tribute to, as did the Leader of the House, my hon. Friend the Member for South Staffordshire (Sir P. Cormack) and many others. Yet this Bill will not allow the House of Lords to remain as it is—we must face that fact.

It has been suggested that we should consider electing people to the House of Lords. That is clearly one option. It has also been suggested that we should continue the patronage system and appoint an unspecified number of people to the House of Lords by virtue of their success in life or, by some other means, provide the majority in the House of Lords that is necessary in order to pass without delay or obstruction whatever legislation the House of Commons has decided upon.

It is clear that that is what the Government intend: they are prepared to appoint at least 55 people in addition to the appointments that they have already made to the House of Lords to ensure that there is a rough balance between Conservative and Labour Members, without taking into account Cross Benchers who will support much of the Government legislation. The Government's objective is clear: they wish to create a Chamber that will be subservient to this place and will do what they say.

That appointed Chamber will be created by virtue of patronage of the grossest kind and the exercise of increasing Executive power. The right hon. Member for Chesterfield (Mr. Benn) and many other hon. Members have drawn attention to the immense power of the Prime Minister, which he gains by means of Crown patronage and by using the monarch in order to extend his power well beyond the capacity of the House of Commons to gainsay him or call him to account. Without this amendment, the Bill would leave us in that position.

The amendment would make us think about where we are going. I think that we are being driven inexorably down the route of a unicameral Parliament. There is no way that any Prime Minister or Executive will endorse a scheme of elections that will second-guess the House of Commons that they control. They simply will not do it: turkeys do not vote for Christmas and Prime Ministers do not vote for second Chambers that obstruct their power and control over the House of Commons. That is entirely logical.

An elected second Chamber may seem like a nice idea, but why do we need a second Chamber to second-guess the first Chamber if it is working properly? We must consider that question in relation to this Bill. The House of Commons is not working properly because of the huge patronage power of the Prime Minister, because we do not consider Bills properly, and because Select Committee procedures are incomplete. Much reform is needed. Once we pass the Bill, the House of Commons must reform and recapture the power that it has lost to the Executive over the years.

I commend the amendment because it will prevent the creation of a Chamber of which we cannot be certain whether it is temporary or permanent. The present one, as I pointed out earlier, has lasted 88 years. Once the Government get control of the second Chamber, they will have increased power of patronage. Lord Cranborne told me that, despite the House of Lords being dismissed as a useless debating chamber, he has people from the Conservative side of affairs who have given some service, usually to industry and business, but also to sport, the arts and so on, lining up to become life peers and wanting the exercise of patronage.

The House that would be created by the Bill without the amendment would fall in public opinion and would be seen to be made up of Tony's cronies. Presumably, after the Prime Minister has left office, it would consist of the next Prime Minister's cronies. That is a despicable way to appoint a second Chamber. We shall not get an elected Chamber, and we shall have huge arguments over that. An elected Chamber would quarrel with this Chamber.

We are therefore inexorably driven to a unicameral Parliament. If there is to be a unicameral Parliament, we must recapture the powers over the Executive that this House has lost, and we shall have to reform this House in great detail.

Mr. Fisher: I welcome the amendment, as it gives us the opportunity to discuss what role, if any, should be played by appointment and patronage in determining the membership of the second Chamber.

At last we are reforming the House of Lords and abolishing the hereditary principle. That is long overdue, and I congratulate the Government on fulfilling their manifesto commitment to end the hereditary principle. There are, however, two aspects of the House of Lords that I find unacceptable. The first is that its membership is, in large part, hereditary. The second is that it is not democratically elected. The Bill attempts to reform only the first of those two defects.

The amendment is important because it allows us to discuss the second defect. The question goes right to the heart of politics: how should any society decide who should govern, who should legislate and who should determine the membership of the bodies that legislate and govern? I believe that all the key legislative and administrative institutions, and above all Parliament, should be elected by the people, by direct democratic election.

Throughout this century, ever since the 1911 Act, we have tolerated the hereditary and unelected House of Lords because we could not change it. Here at last we have a Labour Government with a good working majority, a will to challenge the House of Lords and the mandate to reform it. I have waited for all that for the 35 years that I have been in the Labour party and all my political life.

That is wonderful, but we are planning to correct only one of the political defects of the House of Lords, and we seem to be planning to perpetuate the other. Is that the case? What will the royal commission consider? Is the Government's mind still open to a wholly elected second Chamber? I believe that it is for this Chamber and the Government to determine the principles on which the other Chamber should be constituted, and it is for the royal commission to consider the details.

Tonight we are discussing the principle—the shape. That should not be left to a royal commission. It is a matter that only an elected body such as ourselves—elected by the people of this country—should determine. There is an enormous distinction between the principles and the detail.

If the royal commission is not to consider the principles, why is it that the Government appear to believe in appointment and in patronage as the way of determining membership of the second Chamber? They do not believe in that for any other body. They have done extraordinary work in creating an Assembly for Wales and a Parliament for Scotland, and in restarting directly elected democracy in Northern Ireland. There is no element of appointment or patronage in any of that—everybody is directly elected.

What about local government, where the Government also plan reforms? If any Opposition Member proposed that the reform of local government should be based on patronage and appointment, rather than direct election, the Government would rightly ridicule any such suggestion and laugh it out of court. What about the European Parliament, to which there was indirect appointment, rather than election, until 1979? Would the Government want to return to an appointed European Parliament? If not—and, of course, they would not—why do they want to have a system of appointment built into the membership of the second Chamber?

Mr. Gerald Howarth: The hon. Gentleman talks about the European Parliament. Is he aware that a Labour Member of the European Parliament was effectively deprived, not of his membership of the European Parliament, but certainly of the Labour Whip, by the withdrawal of patronage by the Prime Minister on the ground that that Labour MEP opposed the closed-list system?

Mr. Fisher: That individual is a Member of the European Parliament for the duration of the Parliament, because he was elected by his constituents. He is a Member by election, not by appointment.

Mrs. Beckett: That person walked out.

Mr. Fisher: I give way to my right hon. Friend the Leader of the House.

Mrs. Beckett: I was not intervening on my hon. Friend, but should say to the hon. Member for Aldershot (Mr. Howarth), who clearly does not know what he is talking about, that nobody was deprived of the Labour Whip. A couple of people chose to leave the Labour party in circumstances where nobody was seeking to remove them. That was nothing whatever to do with the closed list and the hon. Gentleman does not know what he is talking about.

Mr. Fisher: I entirely agree with my right hon. Friend. We are discussing how to determine membership. Those people are Members of the European Parliament because they were elected to it.

[Mr. Fisher]

My hon. Friend the Member for Walsall, North (Mr. Winnick), whom I respect in many matters, does not want a directly elected second Chamber because it would have a legitimacy that would threaten this Chamber. I believe that he is fundamentally wrong—there is a great difference between primacy and legitimacy. That view was held by Mr. Michael Foot, and others whom I also respect, but it is a poor argument and simply not true.

Fundamentally, that argument lacks confidence in this Chamber and in our ability to design a remit for the second Chamber that would provide legitimacy of its own, but not legitimacy that had primacy over us. It would be for this Chamber—in determining our role and that of the second Chamber—to determine the separation of powers and maintain our primacy.

Mr. Grieve: Will the hon. Gentleman give way?

Mr. Fisher: The Committee wants to move swiftly to a vote, so, if the hon. Gentleman does not mind, I will not give way. He has already spoken.

If the amendment is put to a vote, I shall vote for it. I have never voted against the Government, and I shall do so with considerable regret and sadness, but this question goes to the heart of our politics. As several hon. Members have said, it is a simple question: who should decide who sits in Parliament? I believe that it should be the people. We are accountable to our constituents. That is what gives us our authority. That is why we are Members of Parliament. The same should be true of the whole of our Parliament—of the other Chamber, as well. The people should decide who sits in that Chamber, not Members of this House. We have our chance to extend that principle of democracy right across our Parliament. We should grasp it.

9 pm

Mr. Letwin: It has been a privilege for someone relatively new to the House to listen to the entire debate, which has been occasioned by the amendment tabled by the hon. and learned Member for Medway (Mr. Marshall-Andrews) and colleagues from both sides of the House. His eloquence and that of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), the right hon. Member for Chesterfield (Mr. Benn), my hon. Friend the Member for Chichester (Mr. Tyrie) and others has been occasioned by the fact that this group of amendments takes us to the heart of the great issues that the Bill raises.

At the heart of the Bill is the question whether the Executive currently have an overweening power that must be addressed, whether the Bill in its current form and without amendment does that, or whether the Bill as drafted makes that problem worse.

On Second Reading, my hon. Friend the Member for Woodspring (Dr. Fox) and I argued vigorously in the first day's debate that this country suffers from a lack of scrutiny of critical measures that come before us in this House and in the other place. There is a lack of scrutiny of the Administration, of the 3,000-odd statutory instruments that come before us, of the legislation by prerogative power in Brussels, of appropriations and primary legislation. We argued then and I argue now that, without any of the amendments, the Bill does nothing to solve any of those problems. In fact, it worsens them, because, as many hon. Members on both sides have said, it creates a second Chamber that is even more in the hands of the Executive—were that possible—than today's Chamber.

The question that we have been debating for the past few hours is how best to address that problem within the confines of the Bill. The amendment of the hon. and learned Member for Medway is a radical solution that, in many respects, attracts us. It would become yet more radical by intention if amendment No. 15 tabled by my hon. Friend the Member for Aldridge-Brownhills were accepted. If the amendment was tabled with the purpose of allowing us to speak about the final solution for the House of Lords—if I can use that dreadful phrase, by which I mean the second phase—it has provoked the profoundest reflections, expressed in the right spirit. We owe my hon. Friend a great favour.

It is the duty of Her Majesty's Opposition to consider what has, alas, befallen us. We are not merely a debating society discussing a possible future phase 2. I think that it was the hon. Member for Thurrock (Mr. Mackinlay) who said that, in the absence of a constitutional convention, the House is the constitutional convention. We face the reality that, as things stand, the House is so in the grip of the Executive that, de facto, it is they who are turning into the constitutional convention, and they have been able to introduce wide-ranging constitutional reforms with hardly a check. As a result, there is a great likelihood that we will have a second Chamber that is interim in name only. That point has repeatedly been made today, yesterday and on Second Reading by hon. Members on both sides of the House.

It falls to Her Majesty's Opposition—I hope that the Government will feel that it falls to them also—to consider the question of how we shall be governed in what may be a very long interim period. In that context, we see a problem with the amendment tabled by the hon. and learned Member for Medway. Although it serves admirably to force the issue and to push towards phase 2, were it to be implemented in the form in which he proposes it, and were there never to be such a phase or were there to be a prolonged interim period, the power of the other place would dwindle remarkably. If amendment No. 15 were also accepted, a further problem would ensue. Indeed, we might have a House that was no House at all: we might have unicameralism by default. In that event, hon. Members who seek that as a long-term solution would have achieved their goal, but I suspect that they are few in number, and that neither Her Majesty's Opposition nor the Government seek such a result at present.

We must address the serious question of how we are to deal with a Bill that will bring us an interim Chamber, and try to find a solution to the problem that amendment No. 13 rightly raises.

Mr. Marshall-Andrews: Does the hon. Gentleman really believe what he has just said? If the amendment were passed, it would concentrate the Government's mind something wonderful, and it would not defer the long-term reform of the House of Lords that all Labour Members support root and branch; indeed, it would hasten it beyond our dreams.

Mr. Letwin: The hon. and learned Gentleman is right. It would concentrate the mind something wonderful, and, taken with amendment No. 14, it would concentrate it even more. Alas, that is the very reason why, I am presumptuous enough to guess, the Government will not accept either amendment. We therefore face a practical problem: we shall have an interim House that will not benefit from amendments of this kind for the very reason advanced by the hon. and learned Gentleman—that it would force an early move to a system to which we believe the Government have not the slightest intention of moving in the early future.

Mr. Gordon Prentice: Is it not nonsensical to suggest that the transitional House will extend into the indefinite future without collusion between the two Front Benches? If the Liberal Democrats and the official Opposition are calling for a directly elected Second Chamber, it simply is not practical politics—especially given the divisions on the Labour Benches—for the transitional House to continue indefinitely. It will not happen.

Mr. Letwin: I fear that the divisions of which the hon. Gentleman speaks—the divisions in the Labour party—will prevent the Government from moving rapidly towards a system that would split their party very fast. The Government may have the necessary courage; Opposition Members hope that they will. They may establish a royal commission that will produce serious results, but, in framing the commission's terms of reference, they have done their best to prevent such an eventuality. None of us has any more faith than the hon. Gentleman's colleague, the right hon. Member for Chesterfield, that the interim solution will soon disappear and give way to phase 2. Even if it does, there will be a period during which the interim solution is the solution: during which—this is the serious aspect of today's debate—we shall have a House of Parliament formed by the Bill.

This is not just a debating society; we are making a constitution, for at least a period. The hon. Member for Pendle (Mr. Prentice) is bound to grant me that. I speculate that it will be a long period, and he thinks that it will be short, but for a time that will be our constitution.

Because the Government, however regrettably, will not accept the amendments, my hon. Friend the Member for Chichester has come up with a different proposal: an attempt to control patronage by means of an Appointments Commission, whose members will be appointed by the Speaker and which will be free from prime ministerial patronage. Perhaps the Government will see fit to accept his proposal, which would be splendid. The Opposition, however—some of my hon. Friends may blame me for this—have learnt something from the excessively supine attitude of Liberal Democrats. We have sought to table new clauses that are eirenic, constructive and abominably nice from the Government's point of view—new clauses that make it as easy as possible for the Government actually and practically to address, within the spirit of their own measure, the problem to which their Bill would give rise without such amendment. That is the intention of new clauses 5, 4 and 3.

I put the new clauses in that order because we designed them to meet specific aims. New clause 5 is intended to give the widest possible effect to our intentions. If the Government reject it because they think that it goes too far, we offer them new clause 4; if the Government think that even that goes too far, why! in our boundless attempt to be "Liberal Democrat" and constructive in our pursuit of a less bad Bill, we offer them new clause 3.

New clause 5 is based on a document to which my hon. Friend the Member for Chichester referred and which should be familiar to Ministers. That document states:

> "Our objective will be to ensure that over time party appointees as life peers more accurately reflect the proportion of votes cast at the previous general election. We are committed to maintaining an independent cross-bench presence of life peers."

It is not a document that will appear unduly revolutionary to Ministers. It is, of course, the Labour party manifesto. New clause 5 should have the appearance of some legitimacy as it attempts to translate into legislative practice precisely the words that I have just read from the Labour party manifesto. In so doing, it tries to remove some—only some, but some—of the power of the Executive through the patronage of the Prime Minister under the Crown.

New clause 5 gives the Appointments Commission statutory existence in the first place. In passing, may I say that it is remarkable that the Bill does not do that? It is remarkable because, throughout the passage of the Bill, Ministers have said that they intend to have such an Appointments Commission and have made much of the fact that the commission, rather than the Prime Minister, will appoint Cross Benchers. Is it not odd, then, that there is no Appointments Commission mentioned in the Bill? Through new clause 5, we introduce such a commission. We also invoke a rule of double proportionality: first, that the appointments that the commission makes in respect of party representatives should be proportional to the results of the votes in the last general election; and, secondly, that Cross Benchers should be appointed in proportion to the number of people not voting in the last election.

I do not describe those devices as grand or wonderful. They are simply a constructive attempt to get through to Ministers something better than the ghastly, overweening patronage in the Bill. What better source for that can we possibly find than the proposals in the Labour party manifesto?

Mr. Winnick: The hon. Gentleman criticises at every opportunity the patronage of the present Government. As an Opposition spokesman, there is no reason why he should not do that, but the Prime Minister has said that he will give up the veto on nominations by the Conservative party and other political parties. Is the hon. Gentleman aware—obviously, he was not in the House at the time—that, following the 1983 election, Michael Foot, then Labour leader, made a number of nominations and the then Prime Minister, Lady Thatcher, vetoed nearly all of them? That was excessive patronage by the then Prime Minister over nominations by the Opposition party. That was an abuse of patronage.

Mr. Letwin: I am glad that the hon. Gentleman raises that point because the next thing that new clause 5 does is precisely designed to address that. It puts in the hands of the Speaker the appointments of the Appointments Commission. It distances the commission entirely from

[Mr. Letwin]

prime ministerial patronage. That is surely an aim that Labour Members, Conservative Members and Ministers should share.

New clauses 4 and 3 are merely variants on that theme. They attempt to give, by statute, registered political parties—hence without the Prime Minister's veto of which the hon. Member for Walsall, North (Mr. Winnick) speaks—and the Speaker, via the Appointments Commission, a clear role in appointments which distances those appointments from the Prime Minister.

I cannot understand why Ministers should find it difficult to accept one or other of the new clauses—of course, in some revised form if Ministers object to their drafting. Any one of them would at least represent an important advance on a Bill that will create a new Chamber that may last a long time, and will have the disastrous effect of putting in place a huge number of new placemen.

Mr. Winnick: I am grateful to the hon. Gentleman for allowing me to intervene so soon after my first intervention.

Does the hon. Gentleman accept that what Lady Thatcher did in 1983 was a great abuse of patronage, which has never been repeated by the present Prime Minister and that there has never been the slightest suggestion that he would do so?

9.15 pm

Mr. Letwin: The hon. Gentleman sorely tempts me to start repeating some of what my hon. Friend the Member for Chichester said about current patronage, but I shall not, because I do not want now to engage in party political bickering. We are talking about a Bill that very soon will create a new House. Surely it falls to us to try to remedy the problems to which the hon. Gentleman alluded—regardless of which party gives rise to the problems or the Government who are responsible for them. Many hon. Members have spoken eloquently to that purpose in this debate, and I do not see why we should allow ourselves to descend into party political bickering when such a matter is under consideration.

It may be argued that there is no need for this group of amendments. I half suspect that, in his reply, the Minister will tell us that there is no need for them. He will tell us, perhaps, that the Neill Committee, the Political Honours Scrutiny Committee and I know not what other worthy bodies—of which there are many—can be appointed by the Prime Minister but that their members can, nevertheless, display an admirable independence. That is perfectly and abundantly true.

Members of the Neill Committee have been—to the Government's considerable discomfiture—extremely independent-minded in their critique, for example, of the recent Welsh referendum. We shall owe to them much of what I hope will be enacted by passage of the Referendums Bill, promoted by my hon. Friend the Member for Blaby (Mr. Robathan), and in the Government's future legislation. I do not for a moment deny that we will owe such future provision to the independence of those committee members.

Before the Minister makes that argument today, however, I hope that he will reflect on the fact that his own logic is utterly destroyed by his own proposals. If the Minister really believes that the Prime Minister will be able to appoint or select Members of the upper House on a basis that will ensure their independence, the Government do not need an Appointments Commission.

It is very odd that the Leader of the House should have made such great play of the fact that the Prime Minister will hand over selection of Cross Benchers to such a commission. If the Prime Minister is capable entirely of selecting an independent Appointments Commission, why not simply select an entirely independent set of Cross Benchers? The fact is that the Government have admitted that there is at the very least a problem of appearance, and possibly—

Mrs. Beckett: We have the Nolan principles.

Mr. Letwin: We know that; there are all sorts of Nolan principles, which could apply also to the selection of peers—why not? They cannot because the right hon. Lady and her colleagues admit implicitly that there is a problem at least of appearance and perhaps in reality.

The Government believe that we need an Appointments Commission. Why not therefore move one stage further, at least, and hand the selection of that commission to the Speaker—as all hon. Members have confidence in that source? Alternatively, why not allow the registered political parties to make, without a veto, political appointments to the Appointments Commission? We offer either alternative, or both, with or without the Labour party manifesto's own proportionality rules. We offer a complete menu of possibilities.

Today, it falls to the Government to show the Committee that they really mean not to increase—as, unfortunately, we suspect that they do mean to increase—patronage by adopting at least one of our proposals, given that they are, alas, unlikely to adopt the far more radical proposals of the hon. and learned Member for Medway or my hon. Friends the Members for Aldridge-Brownhills and for Chichester.

Mr. Tipping: This has been a wide-ranging debate. Some hon. Members may think that it has ranged too widely. Although the debate has sometimes been emotive, we can be proud of its vigour, and of the light that it has shed in the Chamber. I intend to stick to the narrow parameters of amendment No. 13, and shall perhaps be the only hon. Member to do so.

As we know, the Bill is a simple one, and will remove hereditary peers from the other place. It is fascinating that, although the Bill focuses on hereditary peers, for the past two and a half or three hours the debate has focused on life peers.

Mr. Shepherd: I am slightly puzzled. It sounds as though the Minister is winding up, and I am not sure why he should be. Other hon. Members seem to want to speak to the amendments in Committee.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. That is a matter for the occupant of the Chair.

Mr. Tipping: I am sure that the hon. Member for Aldridge-Brownhills (Mr. Shepherd), who has much more experience in these matters than I do, will know that it is a matter for the Chairman. I look forward to hearing your decision, Mr. Lord.

The focus has been on life peers and how they should be selected in the interim stage. The other main subject of the debate has been the powers of patronage. My hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) made a strong speech on the subject, describing his amendments as short but perfectly formed. I thought for a moment that he was applying the description to himself. However, the deficiencies in his amendments became clear when he was challenged by my hon. Friend the Member for Shipley (Mr. Leslie) and by the hon. Member for Aldridge-Brownhills. If my hon. and learned Friend's amendments were passed, Labour Ministers would not be able to appoint to the interim House, but Conservatives would.

Mr. Andrew Lansley (South Cambridgeshire): If amendment No.13 and new clause 17 were both passed, would it not be possible for the prerogative to be exercised by the Appointments Commission? That would not result in the interim House dwindling away as the Minister suggests.

Mr. Tipping: I listened carefully to the interesting and scholarly speech of the hon. Member for Chichester (Mr. Tyrie). We are talking about trying to balance the numbers of Labour and Tory peers, but his new clause would result in Tory peers keeping control of the House. He has not done his sums. When we challenged him on how long it would take to achieve equity in the upper House, he did not have the answer. It would take a long time. One of the themes of the debate is that, when the Conservatives are faced with losing influence and power in the upper House, they switch to arguments about how peers should be found for the interim Chamber.

Mr. Tyrie: It is a shame that the Minister is suggesting that my new clause was an attempt at a party political fix. It was nothing of the sort, despite the mutterings of the Leader of the House. I made it clear that I am sympathetic towards other proposals, which would not necessarily sit with this group of amendments, that would result in roughly equal numbers of Labour and Conservative Members in the upper House. I referred to the possible introduction of a retirement age of 75. I have done my sums on that idea, which would leave Labour with six more Members than the Conservatives. It is a travesty to suggest that I have been engaged in a party political fix.

Mr. Tipping: The hon. Gentleman may confuse his intention with the effect of his new clause, which would be negligible change. I would have more sympathy with the hon. Gentleman's point had he not made so much play of what he called the Prime Minister's abuse of power. I know that he has consulted the record carefully, but he has not told the full story. Conservative Prime Ministers have used their powers of patronage to a similar extent to the present Prime Minister.

Mr. Lansley *rose*—

Mr. Tipping: I shall not give way any more. I have been generous with my time. I have listened to a great many speeches from Conservative Members.

My hon. Friend the Member for Shipley pointed out deficiencies in the amendment. The hon. Member for Aldridge-Brownhills had to table a new amendment to make up for those deficiencies. My hon. and learned Friend would say that he was not worried about the technicalities or the drafting, but that he was interested in the big picture—the vision thing. However, the vision thing about which he tried to tell us—as is often his way—was the abuse of patronage by the Prime Minister.

Mr. Marshall-Andrews: My hon. Friend the Member for Shipley (Mr. Leslie) was simply wrong to say that the Opposition could appoint by recommendation to the House. Does my hon. Friend the Minister accept that?

Mr. Tipping: If my hon. and learned Friend consults the record tomorrow, he will see that he acknowledged the point made by my hon. Friend the Member for Shipley. We are aware of the dangers inherent in prime ministerial control of access to the fount of honour. We have suffered from that in the past, and that is why the current Prime Minister—unprecedentedly—has taken steps to reduce his sole powers of patronage.

Let me remind the Committee of those steps. First, we have committed ourselves not to seek more than broad parity of numbers with the main Opposition party, and to allow proportionate creations for the Liberal Democrats and other parties, including Cross Benchers. That is a smaller share of the overall strength of the House than we proposed in the manifesto, and we will still be in a 2:1 minority in the House.

Secondly, my right hon. Friend the Prime Minister has promised that we will not interfere in the details of nominations from the other party leaders or from the Appointments Commission. That is the first time that such a public commitment has been given. Conservative Members may complain, but their record on constitutional change during their 18 years in power can be described only as a black hole.

Finally, we have undertaken to set up an independent Appointments Commission to make recommendations for Cross-Bench peers. I will not go into the detail of the arrangement now, but there is one issue to which I wish to draw attention. The new body will take over the functions of the Political Honours Scrutiny Committee in relation to all peerages. That means vetting them for propriety. The standards of propriety in question will be those recommended by Lord Neill in his report on the funding of political parties. The arrangements for ascertaining whether a peerage has in any way been bought will be strengthened. That will apply to all peerages, including those recommended by the party leaders.

The hon. Member for West Dorset (Mr. Letwin) who spoke—or, perhaps, wound up—for the Opposition, spoke at length of the deficiencies in the amendment tabled by my hon. and learned Friend the Member for Medway, although he was, in principle, sympathetic. He felt that it would not be acceptable to the Government—or, perhaps, to himself—for reasons that he spelled out. At a very late stage, the hon. Gentleman mentioned for the first time new clauses 3, 4 and 5.

The hon. Member for West Dorset described, quite rightly, new clause 3 as the minimalist position, built on—in a step-ladder approach—by new clauses 4 and 5.

[Mr. Tipping]

He tried to persuade us that the appointments body that he would ask the Speaker to set up would be better than the Appointments Commission that we recommend. He said that our Appointments Commission would be set up under the Nolan rules. I remind him that those Nolan rules were introduced by the previous Conservative Government and were strengthened by this Government.

Mr. Letwin: If the Nolan rules are good enough for the appointment of that commission—and if there is no problem with something appointed by the Prime Minister under the Nolan rules—why not use the Nolan rules to appoint Members of the other place?

9.30 pm

Mr. Tipping: It remains to be seen whether the Nolan rules can be applied to the body that the hon. Gentleman recommends. It is not clear what accountability would apply to the form of commission proposed in new clause 3. Is Madam Speaker being asked to apply Nolan principles? Will there be a fixed term of membership? What rules will the commission have to follow in selecting names? With the greatest respect to Madam Speaker, has she the necessary resources? I believe that a tried and tested set of procedures, instituted by the Tories and strengthened by us, is preferable to what the new clauses would do.

Hon. Members of all parties have been gripped tonight by the idea of the interim House. How long is that interim House to remain? Let me remind hon. Members of our manifesto commitment to remove hereditary peers from the second Chamber. We have set up a royal commission with an independent—a Tory—chairman, to report by the end of the year. What the White Paper says is our intention. The royal commission is being asked to report by the end of 1999, to enable the Government to make every effort to ensure that the second stage of reform has been approved by Parliament by the time of the general election.

We are determined to honour our manifesto commitment. We have begun, as the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said, an evolutionary, step-by-step process. I am confident that we can keep to the timetable.

Change is occurring. There has been a remarkable change in the attitude of Tory Members towards hereditary peers. There has been a change in the pace of debate. There is now a real desire for open debate both with and within the royal commission. Let us have the confidence, after years of struggle, to achieve that change. This time, it is in our grasp, if we take the route that the Government have recommended and reject the amendments and new clauses.

Sir Teddy Taylor: Because of patronage and the current lack of pressure, some of us thought that there would not be a vote on the amendment, as there have not been votes on many other controversial amendments. In case there is a vote, I hope that the hon. and learned Member for Medway (Mr. Marshall-Andrews) appreciates that quite a few of those who will vote for the amendment utterly reject his arguments and his scenario for the future. The amendment would achieve what I want to achieve, but not what he wants to achieve.

Mr. Marshall-Andrews: I cannot think of a better solution than to have the hon. Gentleman voting with me but rejecting all the arguments that I have made.

Sir Teddy Taylor: The last thing that I want is to form a popular front, but, as the hon. Member for Thurrock (Mr. Mackinlay) pointed out, people might look at the record, and I would not want them to think that I was supporting the hon. and learned Member for Medway because of his absurd arguments.

The idea that abolishing hereditary peers and putting life peers in their place gets rid of patronage is a load of old codswallop. There is far more patronage involved in appointing life peers than in the succession of hereditary peers.

If we get rid of hereditary peers and have an elected House instead, as the hon. and learned Member for Medway would like, the Government should appreciate what we are doing to the constitution. I have just come back from Scotland. The House of Commons has always followed the idea that one person should represent an area and be answerable to its people, but now in Scotland people will have a Euro Member, although goodness knows what he is meant to do; a Westminster Member, with no power to handle Scottish affairs; regional Scottish Members, although no one knows what they are meant to do; directly elected Scottish Members; and councillors. It is nonsense. People might have five separate representatives, all of different parties. Instead of trying to deal with people's problems, they will simply blame each other.

We will not help if, on top of that mess, we tell the people of Glasgow that we want them to elect a senator as well. I hope that the hon. and learned Member for Medway, who has great ideas on legal matters, will appreciate that, if we go down that road, we will have an army of politicians and create confusion where we used to have a good system.

The House of Lords performs the limited job of making the Executive stop and think for a year. Basically, that can be done by the hereditary peers, who in no way try to overturn the political views of the House of Commons. The figures in fact show that more proposals from Conservative Governments have been stopped than proposals from Labour Governments. If we are to abolish that useful, limited constitutional safeguard, it would be better to have no second Chamber at all.

If we go ahead and have another elected Chamber, it will cost a lot of money and create much confusion. In addition, it will destroy many of the principles of our democracy that have worked well. It is very easy to muck everything up. People should appreciate that our constitution has served us well. I and others will vote for the amendment, but certainly not for the absurd, republican views expressed by the hon. and learned Member for Medway.

Mr. Grieve: I shall be brief. The speech made by the Parliamentary Secretary was a classic of new Labour, in that what was being offered was new patronage—a sanitised version of the old patronage. I can understand why he made it, but it was not good enough.

I have had serious reservations about the direction in which the second Chamber should go. By having a directly elected second Chamber, can we achieve and keep some of the qualities evident in the independence of the present House of Lords? That question has caused me some concern, and I have sometimes wondered whether some form of appointed—or partially appointed—second Chamber might not be sensible.

However, I am bound to say that the more I have considered the matter, the more convinced I have become that the general thrust of what the hon. and learned Member for Medway (Mr. Marshall-Andrews) says is correct. I believe that we need an elected second Chamber, and that we should apply ourselves creatively to determining the system of any election that might be held, the timing of that election and the criteria governing it. We must try to ensure that those who go to the second Chamber, which will have more limited functions, will be able to reflect a greater spirit of independence from party control than is evident in this House. That would create a good system of checks and balances for the future.

On that basis, the hon. and learned Member for Medway has done a great service to the House by providing the vehicle for this debate. He is to be commended for what he has done.

Question put, That the amendment be made:—

The Committee divided: Ayes 51, Noes 269.

Division No. 69] [9.39 pm

AYES

Allan, Richard
Atkinson, Peter *(Hexham)*
Barnes, Harry
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Best, Harold
Brake, Tom
Butler, Mrs Christine
Caton, Martin
Chaytor, David
Clapham, Michael
Clifton-Brown, Geoffrey
Cummings, John
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Etherington, Bill
Ewing, Mrs Margaret
Fisher, Mark
Flight, Howard
Flynn, Paul
Godman, Dr Norman A
Grieve, Dominic
Hancock, Mike
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Hopkins, Kelvin
Hurst, Alan
Jones, Ms Jenny *(Wolverh'ton SW)*
Lewis, Terry *(Worsley)*
Livingstone, Ken
Llwyd, Elfyn
McAllion, John
McDonnell, John
Mahon, Mrs Alice
Marshall-Andrews, Robert
Mitchell, Austin
Morgan, Alasdair *(Galloway)*
Prentice, Gordon *(Pendle)*
Sanders, Adrian
Sawford, Phil
Sedgemore, Brian
Shepherd, Richard
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Stott, Roger
Swinney, John
Taylor, Sir Teddy
Wareing, Robert N
Wise, Audrey
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. Bill Michie and
Mr. Bowen Wells.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Austin, John
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benton, Joe
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Rt Hon Derek
Fitzsimons, Lorna
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hope, Phil
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis

Moore, Michael
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Wood, Mike
Worthington, Tony
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Graham Allen and
Mr. Keith Hill.

Question accordingly negatived.

THE CHAIRMAN, *being of the opinion that the principle of the clause had been adequately discussed, put forthwith the Question, pursuant to Standing Order No. 68,* That the clause stand part of the Bill.

Question agreed to.

Clause 1 ordered to stand part of the Bill.

To report progress and ask leave to sit again.—*[Mr. Robert Ainsworth.]*

Committee report progress; to sit again on Monday 22 February.

NORTHERN IRELAND GRAND COMMITTEE

Ordered,

That—

(1) the draft Appropriation (Northern Ireland) Order 1999 be referred to the Northern Ireland Grand Committee;

(2) at the sitting on Thursday 25th February, the Committee shall consider the draft instrument referred to it under paragraph (1) above; and

(3) in respect of the sitting on Thursday 25th February, Standing Order No. 115 (Northern Ireland Grand Committee (delegated legislation)) shall have effect with the substitution in paragraph (2) of the Order for the words 'two and a half' of the word 'three'.—*[Mr. Robert Ainsworth.]*

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

RATING AND VALUATION

That the draft Railways (Rateable Values) (Scotland) Order 1999 which was laid before this House on 21st January, be approved.

COUNTRYSIDE AGENCY

That the draft Development Commission (Transfer of Functions and Miscellaneous Provisions) Order 1999, which was laid before this House on 27th January, be approved.

EDUCATION

That the draft Education (Student Support) Regulations 1999, which were laid before this House on 4th February, be approved.

EDUCATION (SCOTLAND)

That the draft Education (Student Loans) (Scotland) Regulations 1999, which were laid before this House on 8th February, be approved.—*[Mr. Robert Ainsworth.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

REFORM OF THE COMMON AGRICULTURAL POLICY

That this House takes note of the unnumbered Explanatory Memorandum, dated 20th November 1998, from the Ministry of Agriculture, Fisheries and Food, relating to reform of the Common Market organisations for beef, cereals and milk and for the development of rural development policy in the European Union; and supports the Government's intention to negotiate an outcome which takes account of the interests of UK producers, consumers and taxpayers alike and of developing countries and to press for a reformed Common Agricultural Policy with substantially reduced overall costs, which is more economically rational, which reduces the bureaucratic burden on farmers, which provides a better framework for targeted environmental and rural development support, which contains fair and common rules to ensure that the UK's farm and food industries can exploit their competitive advantage in European and world markets, which facilitates the accession of associated countries and which offers the medium-term prospect of benefits to developing countries.—*[Mr. Robert Ainsworth.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker: With permission, I shall put together the motions relating to delegated legislation.

Ordered,

SCHOOL STANDARDS AND FRAMEWORK ACT

That the School Standards and Framework Act 1998 (Proposals under section 211 of the Education Act 1996) (Transitional Provisions) Regulations 1998 be referred to a Standing Committee on Delegated Legislation.

RENT ACTS (MAXIMUM FAIR RENT) ORDER

That the Rent Acts (Maximum Fair Rent) Order 1999 be referred to a Standing Committee on Delegated Legislation.

EDUCATION (INFANT CLASS SIZES) (GRANT) REGULATIONS

That the Education (Infant Class Sizes) (Grant) Regulations 1999 be referred to a Standing Committee on Delegated Legislation.

NATIONAL INSTITUTE FOR CLINICAL EXCELLENCE

That the National Institute for Clinical Excellence (Establishment and Constitution) Order 1999 and National Institute for Clinical Excellence Regulations 1999 be referred to a Standing Committee on Delegated Legislation.—*[Mr. Robert Ainsworth.]*

Yemen

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

9.52 pm

Mr. Keith Vaz (Leicester, East): Thank you, Mr. Deputy Speaker, for this opportunity—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. I shall be grateful if hon. Members leave the Chamber quickly and quietly, so that we can proceed with the Adjournment debate.

Mr. Vaz: Thank you, Mr. Deputy Speaker. I am grateful for this opportunity to raise the situation in Yemen that has developed over the past two months. The issue is of relevance, not only to the families and friends of those who have been taken hostage or detained in Yemen, but to all those with an interest in the middle east as a whole, and to the British Asian community.

At the start, I should declare my interest: I am the chairman of the all-party group on Yemen. My parents went to Aden from Bombay as economic migrants; they were part of the immigrant Indian community living in British-occupied south Yemen in the 1950s, and I was born in Aden in 1956. I spent the first nine years of my life there, before leaving with my family to escape the escalating conflict. I was educated at St. Joseph's Convent school in Aden and have wonderful memories of my early childhood in Yemen. They were some of the happiest days of my life—eating sardine sandwiches on the beach in Aden, watching the great ships preparing for the Suez canal. In my wildest dreams, I never envisaged one day speaking on this subject in the British Parliament.

I returned to Yemen for the first time last year, when I led a delegation of representatives from the travel industry to promote relations between our two countries. In Sana'a, I met President Ali Abdullah Saleh, the Ministers of Health, Culture and Justice and the Speaker of the Yemeni Assembly. I also spent a day in Aden and returned to Sana'a by car, without incident.

Returning to Yemen brought home to me just what investment opportunities the country holds for Britain and the immense good will that exists towards Britain. Much has changed, but Yemen remains a beautiful and special country. It is no wonder that so many people want to visit it and return there even after being taken hostage.

Yemen is an extremely difficult nation to comprehend, although it is very familiar to British people. I have already mentioned the under-populated south, which was ruled by the British until 1967, and many young men in the 1950s completed their national service at the station there, including, I am told, the father of our Prime Minister. After the British left, south Yemen was taken over by Marxists, while the much more heavily populated north never came under colonial rule.

The country was united in 1990, but unity was initially not solid, and a civil war broke out in 1994. What is more, in the rugged and mountainous north, the Government's authority is weak, and independent tribesmen seek to control vast areas of the country. That is ideal terrain for hostage-taking, and 132 hostages have been taken in Yemen since 1992.

[Mr. Vaz]

The foundation of the recent crisis can be seen in those historical and geographical problems. Before moving on to the crisis, however, I should like to pay tribute to the role played by President Ali Abdullah Saleh, since he came to power in 1978, in maintaining a stable Government in spite of those enormous difficulties and steering the course of reunification. In the past year, he has been aided by Prime Minister Iryani and the democratically elected Assembly.

The recent crisis, like the country's history, is riddled with complexities. Three sets of hostages have been taken; two groups of people have been arrested and detained; there have been problems concerning people with dual nationality, and there is a melting pot of value systems, ranging from traditional tribal beliefs to rising Islamic awareness.

The crisis began on 28 December, when 16 western hostages were taken. I am sure that I express the sentiments of the whole House when I offer my condolences to the families of Ruth Williamson, Margaret Whitehouse and Peter Rowe, who were killed the following day. Clearly, a number of questions need to be answered about exactly what happened on 29 December and why the rescue attempt went so tragically wrong. I understand that teams from Scotland Yard have been in Yemen since then. Will my right hon. Friend the Minister shed some light on the work that they have been doing, the level of co-operation that they have received from the Yemeni authorities and what, if any, discoveries they have made? How many officers from Scotland Yard are in Yemen and what have they been doing there?

Just as we offer our condolences to the families of the dead, our thoughts go to the nine British survivors of the rescue attempt, as well as John Brooke and Eddie and Mary Rosser, who were taken hostage in January and later released. No one can imagine what an ordeal it has been for them to have been taken as hostages.

At the heart of the current crisis is the case of the British men who have been detained in Aden. Confusion seems to have surrounded the case of Gulam Hussain, Sarmad Ahmed, Shahid Butt, Mohssin Ghailan and Malek Nasser since they were first detained on 24 December. What were they doing in Yemen? Why did it take until 7 January for final confirmation to be received that those five men had been detained? Why did it take until 14 January until they were charged and why did not the trial begin until 27 January? What truth is there in the allegations by the five men of torture and sexual abuse?

In the conversations that I have had with Yemeni Ministers, they have made it clear that allegations of torture are untrue and that they have complied with every reasonable request. However, I should be glad to hear from my right hon. Friend what issues are still outstanding.

I have also spoken to Gareth Pierce, the lawyer acting for those detained. She has stressed the importance of allowing the detainees access to an independent doctor. What progress can my right hon. Friend report on that issue?

I should also stress that although the detainees were charged quickly, the trial is proceeding extremely rapidly, perhaps much too rapidly, and, as the House knows, has restarted today. It is important that sufficient time is given for the defendants to prepare their case.

On 14 January, I met the families of the five men. I do not wish to pre-judge the case of the five men, but the families struck me as honest, decent, ordinary citizens, shocked by what had happened to their loved ones, in search of sympathy—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mrs. McGuire.]*

Mr. Vaz: The families struck me as shocked by what had happened to their loved ones and in search of sympathy, understanding and answers to their questions about what had happened. They were obviously bewildered by events. They deserve our sympathy. Some of the families are now in Yemen. Will my right hon. Friend the Minister confirm that the consular officials are doing everything that they can to help the families?

Since then, three further British citizens have been detained. Shazad Nabi, Ayad Hussein and Mohammed Mustafa Kamal have now been transferred to Aden. That has added further complexity to the case, especially as Mohammed Kamal is only 17 and is the son of Abu Hamza al-Masry, the London Muslim leader, who has made some extraordinary statements. It seems that what happens to them will affect the trial of the other five men. Perhaps the Minister will shed light on what the Foreign Office has been doing in those latest three cases.

It is highly unusual for a consular case such as this to be imported into British domestic community politics. According to a written answer supplied to me by my right hon. Friend the Minister on 28 January 1999, *Official Report*, column *392*, there are currently 2,266 British nationals imprisoned overseas—including two of my constituents, who are in gaol in Venezuela. What is different about this case is the fact that the British Muslim community has taken the issue to heart, believing that the Foreign Office and the British Government are less committed to the case of those five men than to other consular cases because the men in question are of Asian origin.

I commend my right hon. Friend the Foreign Secretary on the way in which he has handled this crisis, and the sensitivity that he has shown to the Yemeni authorities and the British Asian community. In my view, the Foreign Secretary deserves particular praise for the way in which he came to the House on the first day after the Christmas recess to make a statement on the crisis, and for his initiative in speaking to the Yemeni Prime Minister three times in the early stages of the crisis, to impress on him the importance of the British detainees being given full access to doctors and lawyers. I thank my noble friend Baroness Symons for having agreed to meet me four times to brief me on developments, and for meeting the families of the detained men and their lawyers.

On the allegation of the Foreign Office not acting quickly enough because the men were Asian, I believe that our Foreign Secretary would be the last person in this world to let that happen. He is highly regarded in the Arab world, and his speech last October in Blackpool showed enormous respect and sensitivity to Muslim nations and to the Muslim and Asian communities.

I shall now discuss what I consider to be the ways in which the crisis can be solved. The main goal must be to ensure that Anglo-Yemeni relations remain intact and that the men currently detained in Aden get a fair trial. As I have said, when I visited Yemen last year I was struck by the good will on the part of the Yemenis toward Britain, and by the eagerness of Ministers, from the President down, to discuss openly and frankly the salient issues affecting the middle east. In 1986, trade with Yemen was worth £82.6 million, and Britain has been heavily involved in efforts to redevelop the port of Aden, and to develop the tourism industry. Britain and Yemen obviously have a lot to lose from any straining of relations.

I place on the record my appreciation of the role played by the excellent Yemeni ambassador to Britain, Dr. Hussein Al-Amri, who understands fully the importance of these relations and has done an enormous amount of work in very difficult circumstances. Any nation, including ours, would be severely tested when world media attention focuses on it on such complex issues as hostage taking, terrorism and fundamentalism. It is amazing how Yemen has coped.

The Yemeni Government have said that they have acted as they have in order to continue the fight against international terrorism. I am sure that my right hon. Friend the Minister will agree that joint co-operation between Britain and Yemen to combat terrorism is vital, and I hope that he will offer his support in the continued fight against it.

The only way to maintain strong bilateral relations is for contact to be maintained at the highest possible level. We need to bring outstanding matters to a close. Early contact between the Foreign Secretary and Prime Minister Iryani was extremely important in ensuring that the Britons in Aden were charged, and that the trial got under way. Anglo-Yemeni relations will suffer if this high-level contact is not maintained. I was very pleased to read that a meeting took place between our Prime Minister and the President of Yemen last Monday in Amman at the funeral of King Hussein. I wonder whether my right hon. Friend the Minister can tell us more about those discussions.

However, I am puzzled by one point. Britain has strongly advised its citizens to leave Yemen and has evacuated British Council teachers from the country. Yet the German Foreign Minister and Green party leader, Joschka Fischer, has just been to Yemen. If a German Minister is safe in Yemen, why not a British Minister? Our ties with Yemen are much longer and more historic than those of any other country. As the Deputy Foreign Minister Abdullah al-Saidi said:

> "Yemen and Yemenis consider themselves good friends of the British people".

Secondly, I am sure that my right hon. Friend will agree that the trial of the Britons in Yemen must be concluded in a fair and open manner according to the due process of international law. That means that the men who face trial must understand what is happening in the court process and what is happening in terms of their defence. We expect nothing less. The Yemeni ambassador has given me an assurance that the trial will be conducted according to due process. Has my right hon. Friend received those assurances as well?

In addition, I propose two further means of speeding up efforts for a solution. I reiterate the suggestion that I made to the Foreign Secretary in the House on 11 January: it would be extremely helpful if he sent a special envoy to Sana'a and Aden to supplement diplomatic efforts that are already being undertaken. I do not wish to undermine the work that has already been done by Ambassador Victor Henderson and Consul-General David Pearce—I know from the help that they gave to my delegation what an effective team they are. I simply feel that, because of this highly complicated situation, we need a high-profile expert with a solid diplomatic background and knowledge of the middle east, such as a former permanent secretary, to go to Yemen and continue the dialogue.

Finally, I return to a theme that I have mentioned on other occasions in the House: the need for a new unit in the Foreign Office with specific responsibility for British tourists and other visitors to foreign countries. If such a unit had existed, procedures for dealing with the taking of hostages and the detentions would have been in place and I believe that the crisis could have been handled more smoothly. Families in such situations must be kept informed constantly, as the families of James Miles and Paul Loseby, and of Edgar Fernandes—whose cases I have raised previously—have discovered.

There is also a need for better administrative streamlining. As I understand it, three of the four Foreign Office Ministers have been involved in the case: my noble Friend, who deals with consular matters; my hon. Friend the Member for Manchester, Central (Mr. Lloyd), who deals with kidnappings; and my right hon. Friend who is in the Chamber tonight and who has geographical responsibility for this region.

I know how eager the Yemenis are to resolve this crisis without any lasting damage to Anglo-Yemeni relations. We should be equally keen to do so. This is not a relationship of former colonial master and former colony, but one of partnership. I hope to visit Yemen when the time is right—indeed, I was planning to go last week, but I postponed my visit when I had the chance of introducing this Adjournment debate.

I am confident that there is enough good will on both sides to ensure a speedy solution to the problems. We must make sure that that good will is utilised and built on in a constructive way in order to prevent any new, dramatic and unexpected turn of events from destabilising the situation further. Nothing would please this son of Yemen more than for the country of my birth and my adopted country—where I have spent three quarters of my life—to work together. We are, after all, bound together by history.

10.9 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): I congratulate my hon. Friend the Member for Leicester, East (Mr. Vaz) and thank him for the way in which he has raised this issue. Hon. Members will have been moved by his descriptions of his early years in Yemen, and we understand his strong affiliation to that country. I wholly agree that the relationship between the United Kingdom and Yemen must be one of partnership: a partnership of equals in which we have shared diplomatic, political, commercial and other links. My hon. Friend is right to say that both sides want that relationship to develop over the next few years. He is also right to say that despite our history, the content of that relationship at present is somewhat thin.

The trade between the United Kingdom and Yemen added up to only £81 million during the past calendar year, with a massive imbalance towards the

[Mr. Derek Fatchett]

United Kingdom. We are not major trading partners, and there is surely the potential for much further development. Also, Yemen is not a beneficiary of a substantial international development programme. My hon. Friend will be delighted, however, to hear that the programme, which currently stands at £600,000 a year, is likely to be trebled to £1.8 million by 2000-01. On that basis, at least, our international development involvement in Yemen will become more significant.

My hon. Friend spoke about the events that have taken place in Yemen since 24 December, and the impact of those events on the relationship between the two countries. He was absolutely right to send his good wishes and those of every hon. Member to the families of Ruth Williamson, Margaret Whitehouse and Peter Rowe. I add the condolences and sympathy of the Government to those expressed by my hon. Friend.

My hon. Friend asked about the investigations that are taking place with the participation of representatives of the Metropolitan police force. Those investigations are continuing. We hope that the Metropolitan police will be able to produce a report in the not too distant future. They are happy with the co-operation that they have received from the Yemeni authorities and will continue to work with them.

I stress to my hon. Friend that the remit of the investigation by the Metropolitan police is limited to the events surrounding the hostage-taking and the sad deaths of Ruth Williamson, Margaret Whitehouse and Peter Roe. Their remit does not extend beyond those incidents.

My hon. Friend dealt with the cases of the five British citizens currently detained in Aden—Gulam Hussain, Sarmed Ahmed, Shahid Butt, Mohssin Ghailan and Malek Nasser. I shall explain to my hon. Friend the role that the Foreign Office plays in such cases. My hon. Friend knows the situation well, but it is always worth while repeating the responsibilities of the Foreign Office.

We do not have a responsibility for prosecuting or defending particular cases. We cannot act as barristers, solicitors or lawyers on behalf of any UK citizens charged overseas. As my hon. Friend mentioned in his opening remarks, a substantial number of British citizens are held on charges throughout the world.

We must do two things. First, we must ensure that we have access to British citizens, and that we can maintain contact and links between them, their families and their lawyers. Secondly, we must do what we can to ensure that there is due process—a fair procedure before trial, and a fair trial. Our objectives are thus limited but extremely significant: to carry out our consular responsibilities towards any UK citizen who is detained overseas, and to ensure that there is due process and a fair trial. We are wholly committed to discharging those responsibilities in the present case.

There has been some suggestion, which my hon. Friend hinted at but then dismissed, that the Foreign Office has been less active in this case than it may otherwise have been. There is implicit in that a suggestion the idea that because we are dealing with five young Muslim British citizens, their treatment and the rights accorded have not been the same as in other cases. Let me lay that totally to rest. We see our responsibility as extending to all British citizens, regardless of their background, colour or religion. We will discharge that responsibility to all our citizens. I give a strong personal commitment to my hon. Friend: I assure him that, as long as I am a Foreign Office Minister, I will do everything to ensure that there is parity and equality of treatment.

My hon. Friend raised a number of points about the way in which we have discharged our consular functions in relation to the five. It may be useful if I set out some of the background information, which will help him to understand what has happened. As he rightly said, the five were arrested on 24 December. On 29 December, Yemeni officials, who were discussing that day's sad killing of four of the 16 tourists taken hostage the day before, mentioned that they had arrested some British passport holders earlier that day. No names or other details were made available to the British embassy or to the staff.

At that point, British embassy officials asked for further information and for permission to see whichever British nationals may have been arrested. I re-emphasise to my hon. Friend that we received the first piece of information from the Yemeni authorities, incomplete as it was, five days after the arrest of the individuals. On 29 and 30 December, the British embassy continued to ask the Yemenis for further information about the alleged arrest of British nationals and for access to them, if the report of those arrests were true.

On 31 December—a week after the arrests had taken place—Mr. Shahid Iqbal telephoned the Foreign Office to report that three British nationals, a dual national and a French national had been arrested in Yemen. He had surnames, but no other details. He undertook to obtain further details and left at the Foreign Office a Birmingham telephone number.

No further contact was received from Mr. Iqbal. On 4 January, the Foreign Office, through an official, telephoned him. At that stage, full names were obtained and forwarded to the British embassy in Yemen for verification. On 5 and 6 January, the British embassy made repeated inquiries about possible arrests in Yemen of British nationals, asking for confirmation. To labour the point a stage further, my hon. Friend will be interested to know that on 7 January—13 days after the arrests—the Yemeni authorities confirmed that they had indeed carried out the arrests. They provided the names of the individuals and, at that point, the embassy asked for immediate access to the five.

I stress to my hon. Friend that those 13 days were a crucial period in which the British embassy and the Foreign Office in London were both trying to find out what had happened. The full information, as he will now realise, was not forthcoming from the Yemeni authorities. It took us until 7 January to confirm that five British citizens had been arrested in Yemen.

It is important in that context to say to my hon. Friend that I am confident that Foreign Office officials—in Yemen and in London—acted properly, with efficiency and with due diligence and speed. However, they could not put pieces of an incomplete jigsaw together, because the vital piece of information was not forthcoming from the Yemeni authorities.

Thereafter there has been continual contact between our officials in Yemen and the Yemeni authorities, and between my right hon. Friend the Secretary of State and the Yemeni Prime Minister. My noble Friend Baroness

Symons, who represents the Government on consular matters, has met the Yemeni ambassador and the families and representatives of those who have been detained.

My hon. Friend will also wish to know that I had a meeting on 20 January with leading members of the United Kingdom Muslim community, plus representatives of the families and the lawyer representing the families. The British Government at ministerial and official level have sought information, and have tried to ensure that the due process takes place. I can say with some confidence that that catalogue of events and action by the Foreign Office shows that we have fully discharged our consular responsibility, and have sought to ensure that the individuals involved receive a fair trial. We have also tried to ensure that they have access to a lawyer and to medical advice. They have been visited, and the consular staff can see the five involved.

We cannot make a judgment on the guilt or innocence of these individuals, and my hon. Friend does not ask us to do so. That is not our task. My hon. Friend is right that these are matters for Yemeni law, and they will be dealt with by due process under the Yemeni legal system. We want to ensure that the due process takes place, and that there is proper regard for the Yemeni constitution.

Mr. Vaz: Some of the relatives and others wish to travel to Yemen to have contact with the detainees. Is it still the Foreign Office's view that it is unsafe to go to Yemen? If so, are the Government suggesting that more British citizens should be evacuated from Yemen? The ambassador is still there, as are many other British citizens.

Mr. Fatchett: The ambassador and staff are doing an excellent job. I should like to take this opportunity to pay tribute to them for their efforts in these trying and difficult circumstances. I wish them well with their task.

As my hon. Friend knows, we have toughened up our travel advice. We advise people that it would be unwise to travel to Yemen. I think that he would agree that we are wise to provide evidence of the dangers, because recent events suggest that the Foreign Office would be criticised if we did not offer that advice and more British citizens were taken hostage. We are right to offer that advice, and we shall continue to do so.

Our consular responsibilities for the five, and for the three who have also been charged with offences in Yemen, include ensuring that the due process takes place and that access is allowed. I can assure my hon. Friend that we shall continue to carry out those responsibilities.

My hon. Friend spoke about how these cases are playing in the Muslim community in the United Kingdom. That is why I met leaders of the Muslim community in January, and why I have subsequently had a further meeting to discuss a range of issues. I can confidently say that at those meetings, the community leaders recognised the role that the Foreign Office must play and the way in which we have discharged our responsibilities.

My hon. Friend also referred to terrorism. It would be wholly wrong to imply that these individuals have been involved in any terrorist activities, and neither my hon. Friend nor I will do that. The issues of criminality, guilt or innocence are matters for the court. My hon. Friend is right to say that the United Kingdom and Yemen have a shared interest in defeating terrorism. That is why, last September, we introduced new legislation to toughen up our laws on terrorism. We introduced a new range of offences to ensure that the United Kingdom cannot be used as a haven from which to organise and plan attacks against Governments and individuals in other countries.

The new legislation has been welcomed by Governments throughout the world as an earnest sign of the Government's intention to take the issue of terrorism seriously, and we shall continue to take a hard line against terrorist activities. We do so wherever we can, and we share with the Yemeni Government and with other Governments in the region the belief that there should be no home for those who, through their actions, try to inflict pain and suffering on innocent people.

I get slightly irritated when others around the world say that the United Kingdom is soft on terrorism. I remind those people that we have experienced terrorism in the past two decades, and have faced up to it. We know its evil nature, and we know that it makes victims of the wholly innocent—those who have no political affiliations or axes to grind, but are in the wrong place at the wrong time. We know about terrorism, and the United Kingdom will certainly not be soft on terrorism. I say that not just on behalf of this Government; if ever there were a change of Government in the United Kingdom, I am sure that there would be a similar approach to terrorism.

My hon. Friend made a number of suggestions about how the Foreign Office could build up relationships with Yemen and deal with the current issues. He spoke of sending an envoy. We have already done that: there is an ambassador. Moreover, we already have a Minister responsible for Yemen—me—and a Foreign Secretary, who has been in touch with the Yemeni Prime Minister on a number of occasions. An additional person would not help in these circumstances. We need to build up our bilateral relations, and to discuss issues in which we have a common interest. What we must never do is create the impression that we are sending an envoy to Yemen to question the Yemeni legal system, and to make judgments about individual cases. That would set a dangerous precedent. What we need to do is what we have done in working towards the objective of establishing individuals' right to a fair trial.

My hon. Friend said that we should have a special Foreign Office unit to co-ordinate our activities in circumstances such as this. I am always a bit sceptical about the establishment of further units: it seems to me that, when a Department has no other response, it sets up another organisational unit. I suggest to my hon. Friend that we do not need a unit, but that we do need to co-ordinate effectively. The fact that three Ministers are working on the issue is not a sign of inefficiency; it is a sign of the importance that we attach to the issue, and shows that we are able—thanks to great skill on the part of our officials—to co-ordinate their activities, and to ensure that we have an effective co-ordinated policy. I know that is what my hon. Friend wants, and I am not sure that the unit that he suggests would help us to achieve his objective.

Mr. Vaz: I understand that our Prime Minister met the President of Yemen in Amman during the funeral of King Hussein. Could any part of that discussion reflect on the issues that we are discussing today?

Mr. Fatchett: Yes, to the extent that the meeting took place, but it took place on the margins of King Hussein's funeral, and obviously people's minds were on that occasion rather than on other issues. Contact was made, but it was not a substantive occasion on which the specific issues to which my hon. Friend has referred could be discussed.

My hon. Friend has shown a keen understanding of, and commitment to, his country of birth. Yemen has a good friend in the House of Commons, and in my hon. Friend, who raised difficult issues in a sensitive way. I thank him for that. I hope that I have been able to give him detailed information that will enable him to conclude that, although we must deal with a number of difficult issues, once they have been resolved we can continue to build up bilateral relations between the two countries.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

Written Answers to Questions

Monday 8 February 1999

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road Schemes

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the road schemes which are proceeding following the outcome of the national Roads Review and *(b)* those roads which are to be considered by regional planning conferences which could have an effect on areas of outstanding natural beauty or National Parks, detailing for each the designation affected. [67024]

Ms Glenda Jackson *[holding answer 26 January 1999]:* Environmental concerns were a major consideration of the assessment of schemes during the Roads Review. The Road Programme inherited from the previous Government contained 21 schemes which would affect National Parks or Areas of Outstanding Natural Beauty. The following lists show the schemes which are to proceed as part of the Targeted Programme of Improvements following the national Roads Review which will impact on specific National Parks or Areas of Outstanding Natural Beauty.

Scheme Name	*National Park or AONB*
A34 Chieveley/M4 J13 Improvement	North Wessex Downs AONB
A41 Aston Clinton Bp	Chilterns AONB
A2 Bean-Cobham Widening Phase 2	Kent Downs AONB
A21 Lamberhurst Bp	High Weald AONB

The following scheme, which was not sufficiently advanced to be considered for the Targeted Programme of Improvements, will be progressed through its preparatory stages so that if, after full appraisal and statutory procedures, it is eventually endorsed, it can be taken forward without delay.

Scheme Name	*National Park or AONB*
A57/A628 Mottram-Tintwhistle Bp	Peak District NP

In addition, a number of schemes are to considered by Regional Planning Conferences in the context of the programme of wider multi-modal studies announced recently. These studies cover in some cases very wide areas of the country. Solutions to these studies will by no means necessarily be road based and will rarely be solely road schemes. We therefore cannot list AONBs or National Parks within these areas in the same definitive way as for identified road proposals. Environmental impact is an important consideration in our new approach to appraisals and its assessment will be integral to the study process. Any consequences for AONBs and National Parks of solutions coming out of the studies would be explicitly identified at that point.

Night Flights (Heathrow)

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions how many night flights *(a)* landing and *(b)* taking off from Heathrow carried (i) passengers and (ii) airfreight in each of the last five years. [68576]

Ms Glenda Jackson: The total runway movements in the night quota period (11.30 pm and 6 am) each season for the last five years are set out.

Season	*Arrivals*	*Departures*	*Total runway movements*[1]
Winter 1993–94	[2]—	[2]—	2,589
Summer 1994	[2]—	[2]—	3,204
Winter 1994–95	[2]—	[2]—	2,939
Summer 1995	[2]—	[2]—	3,266
Winter 1995–96	[2]—	[2]—	3,059
Summer 1996	2,527	313	2,840
Winter 1996–97	2,567	255	2,822
Summer 1997	2,722	285	3,007
Winter 1997–98	2,542	224	2,766
Summer 1998	2,765	334	3,099

[1] Total runway movements include all movements counted against the night movements limit and noise quota, movements by exempt types of aircraft and movements given dispensations.

[2] The split between arrivals and departures is not readily available due to the basis on which records have been retained.

Full details of the split between passenger and all-cargo movements for each season are not readily available and could be provided only at disproportionate cost. On the basis of available data, about 8 per cent. of movements in winter 1993–94, and 5 per cent. in summer 1995 were all-cargo flights including mail with similar amounts in intervening seasons (ie slightly more in winter than in summer). In summer 1998 there were 96 such movements, 3 per cent. of the total. A significant amount of cargo is carried in the holds of passenger aircraft.

Vehicle Registration Documents

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions for what reason the Council of Ministers has resolved to apply the Committee Directive on the Registration Documents for Vehicles (EC 65/98) five years after the entry into force of that Directive. [68966]

Ms Glenda Jackson: The five year implementation period will provide Member States with sufficient time to introduce the new harmonised system for vehicle registration documents. Member States are free to introduce the new documentation before then if they wish to do so.

Council Properties (Wandsworth)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Wandsworth Borough Council on its policy of selling council properties in certain areas of the borough. [69070]

Mr. Raynsford: I have had no such discussions. However, officials of the Government Office for London regularly discuss with Borough officials many aspects of the Borough's housing strategy and of its performance as a housing authority as part of the annual Housing Investment Programme allocation process. Sales of council properties are one aspect of those discussions.

Environmentally Friendly Vehicles

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what recent discussions he has had with his European Union colleagues on the development of environmentally friendly vehicles by European vehicle producers. [69093]

Ms Glenda Jackson: Significant developments are taking place in Europe on the promotion of environmentally friendly vehicles by European vehicle producers. A number of directives were agreed in 1998, setting future emission standards for cars, vans and vehicles with heavy-duty diesel engines. Last year a voluntary agreement was concluded between the EC and European motor manufacturers, to reduce by 25 per cent. the CO_2 emissions from new cars by 2008. When the UK's Cleaner Vehicles Task Force publishes its first report in the coming months, we will wish to discuss its contents with colleagues in Europe.

I and my Ministerial colleagues keep in close contact with our European counterparts on these matters. During January my right hon. Friends the Minister for the Environment and the Minister of Transport had liaison meetings with the respective Ministers of the new German Government.

Nuclear Fuel

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions (1) what discussions he has had with the German Government on the United Kingdom's rules relating to the import and export of spent nuclear fuel; and if he will make a statement; [69157]

(2) if he will make a statement on his policy relating to the import and export of spent nuclear fuel; and if he will make a statement; [69156]

(3) if imports of spent nuclear fuel from Germany primarily to alleviate the shortage of on-site waste storage capacity at German nuclear facilities, contravene Government policy; and if he will seek advice on this matter from the Radioactive Waste Management Advisory Committee. [69159]

Mr. Meale: The Government's policy is that spent nuclear fuel may be imported into the UK provided that the prime purpose is the recovery of reusable material.

BNFL provides nuclear fuel reprocessing services on a fully commercial basis. Since 1976 all reprocessing contracts have contained the option for the return of waste arising from reprocessing to the customer country. The Government have made it clear that this option should be exercised, and all wastes returned.

It has also been made clear to the German Government that the UK would not be willing to offer long-term storage in the UK for spent nuclear fuel that will not be reprocessed. It follows that, should existing reprocessing contracts be cancelled at any time, German material held in the UK at that time would have to be returned.

Peat Extraction

Caroline Flint: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to protect internationally important lowland raised peatlands from damage caused by commercial peat extraction for horticultural and gardening use; and if he will make a statement. [69149]

Mr. Meale: My Department has reconvened its Working Group on Peat Extraction to consider whether existing policies and guidance on peat extraction are still appropriate.

The Group is looking at a range of issues surrounding peat extraction, including the need for safeguarding peat bogs of national and international importance, and the development and marketing of peat alternatives.

A report of the Group's discussions, including recommendations for action, is in preparation. This will assist me and other Ministerial colleagues to decide what further action is necessary.

In the meantime, we have asked English Nature for advice on the position at Wedholme Flow and Thorne and Hatfield Moors on the best present scientific assessment as to the effects of commercial peat extraction on the areas of international importance.

Temporary Airside Passes

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions (1) what restrictions are imposed by his departmental regulations on the taking airside of *(a)* cameras and *(b)* mobile phones by holders of temporary airside passes at British airports; [69072]

(2) what security screening requirements are imposed by his departmental regulations on holders of temporary airside passes before they can go airside at British airports; [69057]

(3) what is the maximum length of time laid down in his departmental regulations for which a temporary airside pass can be issued at a British airport; [69073]

(4) what the rules are under his departmental regulations on checking of references before the issue of a temporary airside pass at British airports; [69056]

(5) how many breaches of his departmental regulations covering the issue of temporary airside passes at British airports were confirmed during *(a)* 1997 and *(b)* 1998. [69058]

Dr. Reid: References are required only for the issue of a permanent pass. Temporary passes are issued on the basis of proof of identity, but such passholders must be escorted at all times. They are normally issued for up to three days, although a limited number of "special" passes are issued for temporary access up to 31 days when this is justified. Temporary pass holders are required to undergo the same screening process as all permanent staff and passengers before entry to the Restricted Zone of an airport. There are no Departmental Regulations restricting holders of temporary airside passes from taking cameras and mobile telephones airside. However, all items taken airside are searched and particular attention is given to electrical and electronic equipment, such as cameras and mobile telephones.

There have been no breaches of the Department's Regulations on the issuing of airside passes at British airports in 1997 or 1998.

Following an article in a newspaper on 20 January, Ministers ordered an immediate inquiry into how a journalist had obtained a temporary pass to Heathrow airport by posing as a cleaner; also that an urgent reappraisal of the regulations governing the issue of passes at UK airports be carried out.

At the same time, all the temporary passes issued to the company concerned were withdrawn, with no new ones to be issued until the Department's inspectors were satisfied that the necessary procedures were being carried out. These actions are currently being pursued, but it is too early to comment further.

New Deal (Communities)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in implementing the New Deal for Communities since its launch. [69414]

Mr. Meale: Communities, local groups and public bodies in the 17 local authority districts eligible to run pathfinders have brought forward proposals for neighbourhoods they consider would benefit from the New Deal for Communities. On the basis of those proposals, we expect to announce shortly which partnerships we will support, as they develop a detailed long term strategy for change.

M6 Congestion

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what reports he has received from the study group set up by his Department to examine ways of reducing traffic congestion on the M6 motorway between junctions 6 and 10; and what actions he proposes to take as a result. [69549]

Ms Glenda Jackson: We have recently finished a consultation exercise with regional planning bodies on the programme of twenty six studies proposed in "A New Deal for Trunk Roads in England", and we will make an announcement on the final programme shortly. The West Midlands to North West Conurbation multi-modal study will examine options for reducing congestion on the M6 through modal shift. Work on the first tranche of studies will begin in the spring.

Outer London Orbital Rail Link

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the creation of an Outer London orbital rail link; and if he will make a statement. [69819]

Ms Glenda Jackson: The Government welcome any viable proposals which might contribute towards a better, more integrated public transport system. Railtrack is responsible for stewardship of the rail network. It will set out its plans for the maintenance, renewal and enhancement of the network in its next Network Management Statement, which is due to be published in March.

Endangered Species

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to prevent trade in endangered species within the European Union. [69820]

Mr. Meale: The trade in endangered species is regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which is implemented within the European Union by Council Regulation (EC) No. 338/97. Commercial trade in wild taken specimens of species listed in Annex A of the Regulation is strictly prohibited, although exceptions may be made for research, breeding or educational purposes. The sale of these species is also controlled, including captive bred specimens.

Train Services (Seating)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what was the average width of a standard class seat on mainline train services in *(a)* 1989 and *(b)* at the latest available date; and if he will make a statement. [69828]

Ms Glenda Jackson: The information requested is not available.

Jubilee Line Extension

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what independent assessment his Department has undertaken of London Transport's planned timetable for the opening of the Jubilee Line extension. [69823]

Ms Glenda Jackson: London Transport's (LT's) planned timetable for the opening of the Jubilee Line extension is independently assessed on an on-going basis by the Secretary of State's Agent, Ove Arup and Partners. Ove Arup has been reporting regularly to Ministers since the start of construction. It is on the basis of its reports that we are confident that the extension will be open in time to serve the Millennium celebrations at North Greenwich.

Railtrack (Property Assets)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the implications for the delivery of increased rail usage of Railtrack's policy towards the disposal of its property assets. [69891]

Ms Glenda Jackson: The disposal of property assets owned by Railtrack is a commercial matter for the company. However, its powers of disposal are limited. Closure of railway lines (as well as passenger services, stations and light maintenance depots) which have been used in connection with railway passenger services at any time within the last five years are subject to consideration by the Franchising Director, the Rail Regulator and the Secretary of State, and wide consultation.

Millennium Dome (Transport)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what discussion he has held with Connex in respect of the use of Charlton station for transporting visitors to the Millennium Dome; what is *(a)* the present and *(b)* the maximum number of trains per hour which can call at Charlton; and if he will make a statement. [69827]

Ms Glenda Jackson: Surface rail interests are represented at my Millennium Access Co-ordination Group by the Association of Train Operating Companies (ATOC). The Managing Director of Connex South Eastern represented ATOC at the first meeting of my group in June 1998, at which we discussed Railtrack's proposals to redevelop Charlton station to improve the interchange with the new Millennium Transit bus service that will operate between the station and the Dome.

In November, ATOC reported to my group that Connex were considering the provision of additional train services to Charlton for Millennium Experience visitors. The present off-peak service at Charlton station is six trains per hour in each direction to/from Charing Cross/Cannon Street. The maximum number of trains per hour will be dependent upon capacity constraints at all stations on the line and access arrangements for services.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* discussions and *(b)* correspondence he has had with (i) the Traffic Director for London and (ii) Greenwich Council in drawing up contingency plans for transporting visitors to the Millennium Dome should the Jubilee line extension not be open in time, giving in each case the first date of their involvement. [69826]

Ms Glenda Jackson: I have, through my Millennium Access Co-ordination Group, asked London Underground Limited to lead the production of contingency plans to manage problems on any of the main transport links to the Millennium Dome site.

The Borough of Greenwich became a member of my Millennium Access group in November 1998 prior to which date the interests of all boroughs were represented by the Association of London Government. Greenwich were present when London Underground presented an overview of the contingency plans to the group last month. I have not had any correspondence with Greenwich on this subject.

I have had no discussions or correspondence with the Traffic Director for London on the plans. I have, however, invited him to attend the next meeting of my group, at which we will be examining London Underground's proposals in more detail. The Traffic Director for London has been a member of the contingency planning working group since November 1998.

Beacon Council Scheme

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions when he will consult on proposals for a beacon council scheme; and if he will make a statement. [70218]

Ms Armstrong: We intend to publish a prospectus tomorrow inviting views on proposals for a beacon scheme to identify and select the best councils, so that others can benefit from their experience, and in the longer term allow new freedoms and flexibilities to be tested.

Motorway Noise

Mr. Fallon: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to announce details of the revised criteria and ring-fenced annual budget for the Highways Agency for new measures to reduce motorway noise. [69784]

Ms Glenda Jackson: We announced in "A New Deal for Trunk Roads in England" that we propose to establish revised criteria and a ring-fenced annual budget to provide noise mitigation on some existing trunk roads. We will make an announcement on this shortly.

Bull Bars

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to ban vehicles with bull bars from public roads. [69258]

Ms Glenda Jackson: Having considered the responses to a consultation exercise on options for national action on bull bars, we are currently in the process of identifying how best to take matters forward. As we have always made clear, any action on aggressive bull bars must deal effectively with the complexities involved. It is also clearly sensible for us to take the opportunity to consider bull bars in the context of the wider issue of making all new cars more pedestrian friendly.

Climate Change Programme

Mr. Gummer: To ask the Secretary of State for the Environment, Transport and the Regions what is his target date for the publication of the new UK Climate Change Programme. [69567]

Mr. Prescott: The Government aim to publish the new UK Climate Change Programme in good time for UK ratification of the Kyoto Protocol.

Rural Railways

Ms Lawrence: To ask the Secretary of State for the Environment, Transport and the Regions if the Organisation Instruction and Guidance issued to the new Strategic Rail Authority in relation to Rail Passenger Partnership funding will allocate a fixed proportion of this funding for use in rural rail infrastructure. [69205]

Dr. Reid: My right hon. Friend is currently considering the terms of revised planning criteria for the Franchising Director to apply in appraising support for passenger rail services. These will guide the allocation of funds for Rail Passenger Partnerships by the Strategic Rail Authority, which will be operating in shadow form from April pending legislation. I cannot anticipate publication of the revised criteria, but applications in respect of rural rail infrastructure will be welcome.

Vehicle Emissions

Mr. Letwin: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to provide for a defence to a charge arising from breach of regulations relating to vehicle emissions where the car in question has passed its MOT within 28 days before the date of a roadside check. [69568]

Ms Glenda Jackson: The Government are currently reviewing the way in which compliance with vehicle emissions standards is enforced at the roadside. The question of mitigating circumstances is being taken into consideration in that process and an announcement on future policy will be made in due course.

Young Homeless

Mr. Letwin: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to assist young, homeless persons. [69598]

Mr. Raynsford: For young people to be without a suitable home can blight their lives and future development and lead to the social exclusion that this Government are determined to tackle. The problems of youth homelessness go beyond the simple provision of accommodation; many other factors are involved and all sectors, statutory, voluntary and business have a contribution to make.

That is why we have established the Youth Homelessness Action Partnership to bring together senior representatives of central governmental, local government and the voluntary sector. The Partnership is currently working on producing an agreed definition of youth homelessness and estimating the numbers involved. It will also identify what works in tackling and preventing youth homelessness, including the role of local strategies, and disseminate good practice to all the key players. The Partnership will also contribute towards the evaluation of the impact of Government policies on youth homelessness. The work of the Partnership will be underpinned by research to be commissioned later this year.

We have refocused our DETR section 180 grant programme, which provides grants to voluntary sector organisations concerned with homelessness, to give priority to projects that prevent and tackle youth homelessness. £8.1 million is available in 1998/99 and over 200 projects around England are benefiting from these grants.

The Government are committed to reducing the most extreme example of homelessness—rough sleeping—to as near to zero as possible in our towns and cities. The Prime Minister asked the Social Exclusion Unit to address the issue of rough sleeping as one of its first priorities. Their report sets a tough initial target of reducing the number of people sleeping rough throughout England, to a third of its current level by 2002.

A new Ministerial Committee, chaired by my hon. Friend the Minister for Local Government and Housing, has been established to ensure effective co-ordination of Government policy in preventing and tackling rough sleeping. The DETR will be responsible for co-ordination of the overall strategy for England on rough sleeping; including housing, health access to employment and training and benefits.

We will establish a new body for London which will be responsible for reducing the numbers of people sleeping rough in the Capital. The new body will have an integrated budget of £143 million over the three years until 2002 to combat rough sleeping and the causes of rough sleeping.

Outside London, the SEU confirmed that local authorities are in the best position to take the lead on tackling rough sleeping and single, including youth, homelessness. To support local authorities in achieving the target reduction in rough sleeping in their area we have launched a new Homelessness Action Programme which will provide £34 million over the next three years to help voluntary organisations outside London to tackle and prevent rough sleeping. We announced details of over 250 voluntary sector projects which will benefit from this programme on 5 February.

We have also strengthened the safety net for families and vulnerable individuals who are homeless unintentionally. The revised Code of Guidance on Allocations and Homelessness which will be issued later this year will provide more advice to help local housing authorities develop effective strategies to assist single homeless people including young people.

Packaging Waste

Mrs. Roe: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on any additional costs for recycling packaging waste arising from recent changes in the law and the method for distributing such costs. [69611]

Mr. Meale: I refer the hon. Member to the answer I gave to the hon. Member of Hazel Grove, (Mr. Stunell) on 28 January 1999, *Official Report*, column *335*.

Mrs. Roe: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to ensure that wasteholders have a right of access to the Packaging Waste Recovery Note System in respect of waste they deposit for recycling. [69610]

Mr. Meale: The Advisory Committee on Packaging referred to this issue in its further advice set out in Sir Peter Parker's letter of 22 December to my right hon. Friend the Minister for the Environment, a copy of which is in the Library. The Committee recommended that

> "individual businesses, who are obligated members of the packaging chain and bring waste for reprocessing, should be given first refusal on the PRN when waste is accepted for reprocessing and that reprocessors should make reasonable forward provision for such parties who wish to have PRNs".

We are grateful for the Committee's advice and my right hon. Friend the Minister for the Environment hopes to make an announcement on this and other aspects of the Packaging Recovery Note system shortly.

School Playing Fields

Mr. Spring: To ask the Secretary of State for the Environment, Transport and the Regions how many applications for the sale of school playing fields have come before him since 1 May 1997. [69613]

Mr. Raynsford: The Secretary of State's consent to the disposal of land by local authorities under their general powers is only required where they wish to do so at less than the best reasonably obtainable consideration.

which is normally open market value. No such applications for consent for the sale of school playing fields have come before him since 1 May 1997.

Mr. Spring: To ask the Secretary of State for the Environment, Transport and the Regions how many applications for school playing fields development he has approved. [69614]

Mr. Raynsford: The information requested is not held on this basis. The results of appeals and called-in applications are not classified by sites of this type. It is, therefore, not feasible to assemble such information, except at disproportionate cost.

Listed Buildings

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what powers are available to local authorities to require owners of listed buildings to maintain them; how he monitors the performance of local authorities in discharging their duties in respect of listed buildings; and what powers he has in respect of listed buildings which a local authority fails to protect. [68852]

Mr. Alan Howarth: I have been asked to reply.

Owners of listed buildings are under no specific duty to maintain their properties, though it will normally be in their interest to do so. However, local authorities have statutory powers to take action where a building has deteriorated to the extent that its preservation may be at risk. An authority can serve a repairs notice on the owner of a listed building specifying works it considers necessary for the building's preservation. If no action is taken in response to the notice, the authority can begin compulsory purchase proceedings. In the case of an unoccupied listed building, an authority can—having served notice on the owner—carry out works it considers urgently necessary for the building's preservation and recover its costs.

My right hon. Friend has powers which are broadly similar to those of local authorities and which he can exercise where he considers that an authority has itself failed to take action. However, his policy is to treat them as reserve powers for use only in exceptional circumstances.

My Department does not specifically monitor the performance of individual local authorities, but we would normally expect to look into cases where important buildings are reported to be at risk. Planning Policy Guidance Note 15: Planning and the Historic Environment urges all authorities to maintain and strengthen their commitment to stewardship of the historic environment, to reflect that commitment in their allocation of resources and to consider the use of their statutory powers wherever appropriate.

Ministerial Engagements

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list his official engagements outside London planned for February. [69842]

Mr. Prescott: It is not the practice to give details of my forthcoming engagements.

HOUSE OF COMMONS

Devolved Powers

Mr. Gareth Thomas: To ask the President of the Council what steps she proposes to take to ensure that announcements of Government policy on matters which will be devolved take into account the roles of the National Assembly for Wales and the Scottish Parliament. [68614]

Mrs. Beckett: Ministers are aware of the areas within their responsibility which will be devolved to the Scottish Parliament and the National Assembly for Wales under the provisions of the *Scotland Act 1998* and the *Government of Wales Act 1998*. Ministers are taking this into account in preparing and making announcements of Government policy.

Oral Questions

Mr. Winnick: To ask the President of the Council what was the total number of oral questions tabled to all departments, excluding the Scottish and Welsh Offices but including the Prime Minister in the last session; and what percentage were *(a)* on the Order of Business on the day in question and *(b)* actually answered orally. [69575]

Mrs. Beckett: 26,625 oral questions were put down in the last session to all departments excluding the Scottish and Welsh Offices, but including the Prime Minister.

7,437 or 27.9 per cent. were on the order of Business on the day in question and 3,149 or 11.8 per cent. were actually answered orally.

Portcullis House

Mr. Salmond: To ask the Chairman of the Accommodation and Works Committee what is the expected final cost of Portcullis House; when it is due to be completed; what is the cost of *(a)* furniture, *(b)* catering facilities, *(c)* exterior decoration and *(d)* interior decoration; how many (i) hon. Members, (ii) Parliamentary staff and (iii) ancillary staff will be accommodated in the new building; and if he will make a statement. [69103]

Sir Sydney Chapman: As previously reported, the forecast outturn cost of the project is £250m. In addition to the capital costs, this figure includes furniture and fittings, professional and construction management fees and VAT. In accordance with the brief agreed by the House in 1992, the building will provide accommodation for 205 hon. Members and at least as many Members' staff. The precise number will depend on individual hon. Members' working arrangements. At this stage figures for the number of ancillary staff, who will be mainly from the Serjeant at Arms and Refreshment Departments, are not available. The select committee and conference rooms will also be heavily used.

Much of the furniture has yet to be purchased but the budget figures total £3.7m. These figures include the furnishing of the select committee and conference rooms and other communal areas including the refreshment and library facilities as well as the offices of hon. Members and their staff. The cost of the catering equipment, furniture and fittings is £2.4m. All the surfaces, both internal and external, are self-finished so there are no costs that could be attributed to decoration. The building is due to be occupied early in 2001. Work remains on schedule.

PRESIDENT OF THE COUNCIL

Millennium Compliance

Miss McIntosh: To ask the President of the Council, pursuant to her oral statement of 1 February 1998, *Official Report*, column 593, concerning the lack of insurance cover for travel on 1 January 2000, if she will list the relevant authorities examining the issue in each sector. [69573]

Mrs. Beckett: It is the responsibility of the transport industry to ensure that their transport services can be delivered without increased risk to the public over the Millennium. However, relevant public authorities are taking steps to ensure that this work is done. These include the Department of the Environment, Transport and the Regions, the Civil Aviation Authority, Maritime and Coastguard Agency, the Rail Regulator, Railtrack, the Health & Safety Commission and the Highways Agency. These organisations are also working with relevant international organisations, including the International Civil Aviation Organisation (ICAO), the International Air Transport Association (IATA) and the International Maritime Organisation to look at the safety of international travel.

The Department of the Environment, Transport and the Regions and relevant regulators are also facilitating a programme of independent assessment of preparedness across the UK transport sector as part of a programme of work that is being led by Action 2000 through the National Infrastructure Forum. The first results from this work should be published in the Spring.

With respect to the availability of travel insurance over the Century date change, I understand that insurance cover remains available for both travel companies and transport companies, as well as for individual members of the public over the Millennium, although any policies may be subject to a number of specific Year 2000 related exclusions.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid Fund

Mr. Stinchcombe: To ask the Minister of State, Lord Chancellor's Department what was the cost to the Legal Aid Fund of paying Civil Court fees in *(a)* county court proceedings and *(b)* High Court proceedings in each of the last five years. [69227]

Mr. Hoon: Information on the amount paid for Civil Court fees is not available, as they are claimed as disbursements and the Legal Aid Board does not record these fees as a separate amount.

DEFENCE

REME

Mr. Hoyle: To ask the Secretary of State for Defence if he will list by county the number of REME officers and regulars recruited in each of the last three years [69328]

Mr. Doug Henderson: The information shown in the table reflects the numbers of REME officers and soldiers recruited through the various Army and Armed Forces Careers Offices in each county, in each of the last three years; it does not necessarily reflect individual's areas of origin.

	1996		*1997*		*1998*	
County	*Officers*	*Soldiers*	*Officers*	*Soldiers*	*Officers*	*Soldiers*
Avon	1	6	0	13	0	11
Bedfordshire	1	0	0	3	0	7
Berkshire	2	8	0	8	0	13
Buckinghamshire	0	11	0	4	0	0
County Durham	0	14	0	7	1	11
Cambridgeshire	0	27	0	19	0	18
Cheshire	2	18	1	24	0	26
Cleveland	0	13	0	20	0	23
Cornwall	0	6	0	7	0	10
Cumbria	0	23	0	10	0	16
Derbyshire	0	16	0	11	0	13
Devon	0	39	2	40	0	34
Dorset	1	0	1	0	0	0
Essex	0	23	0	18	0	24
Greater London	1	24	1	10	0	24
Manchester	0	13	0	16	0	15
Gloucestershire	0	5	2	7	0	8
Hereford and Worcestershire	0	18	0	21	1	15
Hampshire	1	35	1	41	2	50
Hertfordshire	1	0	1	0	0	0
Humberside	0	18	1	20	0	11
Kent	0	31	0	24	0	20
Lancashire	0	93	0	62	0	66
Leicestershire	0	11	0	4	0	14
Lincolnshire	1	34	0	28	2	23
Merseyside	2	27	0	7	0	16
Northern Ireland	1	15	0	12	2	20
Norfolk	0	10	0	9	0	9
Northampton	0	10	0	18	0	9

County	1996 Officers	1996 Soldiers	1997 Officers	1997 Soldiers	1998 Officers	1998 Soldiers
Northumberland	0	13	0	8	0	8
Nottingham	1	18	1	15	3	18
Oxford	1	5	0	7	0	5
Border Region	0	4	0	4	0	4
Central Region	0	11	0	15	0	10
Dumfries and Galloway	0	9	0	10	0	7
Fife	0	17	0	13	0	11
Grampian	0	8	1	6	0	8
Highland	0	11	0	14	0	9
Lothian Region	0	11	1	6	0	9
Strathclyde	2	59	1	64	0	62
Tayside	0	22	0	12	1	16
Shropshire	0	7	1	9	2	6
Somerset	0	16	1	14	1	9
Staffordshire	2	14	0	8	0	12
Suffolk	0	11	0	2	1	9
Surrey	1	5	1	5	0	4
Sussex	1	13	1	11	0	4
Tyne and Wear	0	52	1	31	0	27
Clwyd	0	13	0	7	1	13
Dyfed	0	4	0	6	0	4
Gwynedd	0	9	0	3	0	1
Mid Glamorgan	0	7	0	9	0	5
South Glamorgan	0	10	2	10	1	12
West Glamorgan	0	14	0	14	0	10
West Midlands	0	35	0	27	2	20
Warwickshire	0	0	1	0	0	0
Wiltshire	0	12	0	11	0	13
Yorkshire	1	85	2	85	3	97
Not recorded	0	31	0	10	0	12

Mr. Hoyle: To ask the Secretary of State for Defence if HQ 101 Battalion REME was listed for closure in the first round of recommendations for the future of the Territorial Army proposed by HQ Land Command. [69346]

Mr. Doug Henderson: I refer my hon. Friend to the answer I gave him on 17 December 1998, *Official Report*, column 657.

Mr. Hoyle: To ask the Secretary of State for Defence how many REME regulars were recruited in the North West; how many REME recruits came from North Wales during each of the last five years; and how many of these were recruited via the cadets. [69329]

Mr. Doug Henderson: The information shown in the table reflects the numbers of REME soldiers recruited through Army and Armed Forces Careers Offices in the areas shown. It does not necessarily reflect individuals' areas of origin. The numbers shown as Ex-Cadet reflect those who are known to be former cadets and are included in the main total.

Year	North West Numbers	North West Ex-cadet	North Wales Numbers	North Wales Ex-cadet
1994	71	15	3	2
1995	115	21	28	8
1996	151	33	22	7
1997	109	15	10	2
1998	125	12	14	3

The regions used are those defined in the publication "Regional Trends" published by the Office for National Statistics.

Mr. Hoyle: To ask the Secretary of State for Defence if he will estimate the cost to his Department of empty houses vacated by *(a)* officers and *(b)* other ranks moving from Chorley 101 REME to Queensferry. [69332]

Mr. Doug Henderson: Vacancies created by the departure of families moving with 101 Bn REME from the Preston area to North Wales are expected to be filled by families attached to other Army units in the Preston area. While there may, therefore, be some short term vacancies associated with this changeover, no costs in terms of long term voids are anticipated at this time.

Mr. Hoyle: To ask the Secretary of State for Defence on what date TAVRA North West was consulted about the decision to transfer HQ 101 Battalion REME to Queensferry. [69317]

Mr. Doug Henderson: The North West Territorial and Auxiliary Volunteer Reserve Association were consulted on this proposal on 12 October, at a meeting held at Headquarters Land.

Territorial Army

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on *(a)* the Territorial Army's and *(b)* the cadets' role in recruiting regulars for the army; and if he will list the recruitment figures for regulars by region in each of the last three years. [69327]

Mr. Doug Henderson: Neither the Territorial Army nor the cadet forces have a specific role in recruiting to the regular Army. However, a number of members of both organisations go on to join the regular Army. The numbers of recruits to the regular Army, by region, in each of the last three years are as follows.

Region	1996 Total	1996 Ex TA/Cadet	1997 Total	1997 Ex TA/Cadet	1998 Total	1998 Ex TA/Cadet
East Anglia	618	171	551	143	518	155
East Midlands	1,286	393	1,136	274	1,288	287
North West	2,067	458	2,097	442	2,363	408
North	1,701	497	1,703	398	1,848	390
South East	2,632	1,031	2,158	737	2,395	603
South West	1,168	346	1,168	335	1,308	313
West Midlands	1,049	308	1,019	304	1,210	290
Yorkshire and Humberside	1,649	424	1,599	394	1,887	430
Northern Ireland	473	135	419	122	529	122
Scotland	1,660	426	1,642	400	2,117	491
Wales	813	217	922	234	1,047	214
Location not recorded	393		153		87	

The regions are as defined in the publication "Regional Trends" published by the Office for National Statistics. The figures reflect numbers recruited by Army/Armed Forces Careers Office in the regions in question. They do not necessarily indicate individuals' region of origin.

Compensation Claims

Mr. McNamara: To ask the Secretary of State for Defence, pursuant to the answer to the hon. Member for Mid-Norfolk (Mr. Simpson) on 21 January 1999, *Official Report*, column *529*, if he will list the year of submission of each claim for compensation on the grounds of *(a)* post-traumatic stress disorder and *(b)* physical injury, with the geographical region where it is alleged the injuries were sustained. [69607]

Mr. Spellar: The years in which my Department received the *(a)* post traumatic disorder claims and *(b)* physical injury claims to which my hon. Friend refers are set out in the table.

Year claim submitted	Post traumatic stress disorder claims	Personal injury claims
1979	—	2
1985	—	3
1988	—	4
1989	—	3
1990	—	19
1991	—	39
1992	—	51
1993	—	90
1994	10	136
1995	16	232
1996	40	574
1997	39	1,053
1998	43	1,498
1999	7	12

Information regarding the geographical region where the alleged injuries were sustained could be provided only at disproportionate cost.

Patrols (Northern Ireland)

Mr. McNamara: To ask the Secretary of State for Defence (1) how many *(a)* foot and *(b)* mobile patrols were carried out in support of the RUC, broken down by approximate district council constituency between *(a)* 11 May and 8 June 1998 and *(b)* 9 November and 7 December 1998; [69884]

(2) how many patrols were carried out by each battalion stationed in Northern Ireland broken down by police division and approximate district council constituencies between *(a)* 11 May and 8 June 1998 and *(b)* 9 November and 7 December 1998. [69883]

Mr. Doug Henderson: It is not possible to differentiate between foot and mobile patrols as many patrols are a combination of both. The information requested about patrols in general is set out in the table.

Battalion	Police division	Approximate district council boundaries	Number of patrols 11 May-8 June 1998	Number of patrols 9 November–7 December 1998
3 Inf Bde				
Armagh Roulement Battalion[1,2]	H	Armagh, Newry and Mourne	414	308
East Tyrone Roulement Battalion	K	Cookstown, Dungannon	244	123
Ballykinler Battalion	G	Down, Ards, Newry and Mourne	118	6
3 R Irish	J	Craigavon, Lisburn, Banbridge	355	300
8 R Irish	H	Armargh	470	280
8 Inf Bde				
Ballykelly Battalion	N	Limavady, Strabane	22	7
Londonderry Battalion	N	Londonderry, Strabane	127	12
Omagh Battalion[1]	L	Omagh, Dungannon, Fermanagh	128	133
4 R Irish	L	Fermanagh	229	218
5 R Irish	O	Magherafelt, Limavady, Colerain, Moyle, Larne, Antrim, Ballymena, Ballymoney	27	0

Battalion	*Police division*	*Approximate district council boundaries*	*Number of patrols 11 May-8 June 1998*	*Number of patrols 9 November–7 December 1998*
39 Inf Bde				
Belfast Roulement Battalion	B	Belfast	324	0
Holywood Battalion	D	North Down, Carrickfergus, Newtownabbey	211	0
7 R Irish	A and E	Belfast, North Down, Castlereagh	12	0
9 R Irish	D and B	Lisburn, Antrim	81	0

[1] Included the Drumadd Roulement Battalion whose Squadrons supported other battalions in 3 Infantry Brigade's are until 16–17 November 1998 when it was re-located to the mainland.

[2] Includes one company of the Province Reserve Battalion.

[3] Includes one company of the Rural Reinforcement Battalion for the period 11 May-8 June only. It was re-located to the mainland on 23 September 1998.

A patrol is defined as any foot or mobile patrol in support of the RUC regardless of size or duration. Patrols conducted by the Army for local security around bases are not included.

Some battalions operate in more than one Police Division.

Police Divisions are not co-terminous with District Council boundaries. These delineations are therefore only approximate and in some cases a Council area may be covered by more than one Battalion, e.g Lisburn.

Ministry of Defence Police

Mr. Laurence Robertson: To ask the Secretary of State for Defence what is his policy on policing MoD areas 24 hours a day; what was his Department's budget for such policing for *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; what assessment he has made of such policing (i) nationally and (ii) in Gloucestershire; what discussions he has had with RAF Command Security about this issue; and if he will make a statement. [69505]

Mr. Doug Henderson: The Ministry of Defence Police provide a civilian policing service to the Ministry of Defence and are available to provide a response 24 hours a day from police officers based at MOD establishments, mobile Area Police Teams, and other specialist services.

My Department's expenditure on MOD police has been as follows:

Year	*£ million*
1995–96	134
1996–97	130
1997–98	134

The forecast expenditure for 1998–99 is £137 million.

The requirement for Ministry of Defence Police is kept under continual assessment both nationally across the Department and at individual Establishments and geographical areas of the Defence Estate. Gloucestershire is included in these assessments. RAF Command Security are fully involved in these discussions.

Armed Forces Pension Scheme

Mr. Hancock: To ask the Secretary of State for Defence which countries' armed forces pension schemes have been studied as part of the UK Armed Forces Pension Scheme Review announced on 23 September 1998. [67127]

Mr. Doug Henderson: In undertaking the Review of the Armed Forces Pension Scheme the MOD will be looking at examples of good practice in other pension schemes. The Review is in its early stages and we have not yet finalised which foreign Armed Forces pension schemes we shall examine. We would, however, expect to consider the schemes of major NATO allies and other Western Armed Forces.

ASTOR Programme

Mr. Hancock: To ask the Secretary of State for Defence what is the planned in-service date for the ASTOR programme; and what changes to that date have taken place since May 1997. [69026]

Mr. Spellar: The In Service Date, ISD, in May 1997 was 2003. Since then the bidders for the Airborne Stand-Off Radar, ASTOR, programme have been asked to review the feasibility of this in their bids for the Full Development and Production phase of the programme.

The Department is currently in the process of evaluating bids, and it would, therefore, not be appropriate to make specific comments on any aspects of the bids at this time. On current plans we aim to announce a decision on the project in the spring, and award a contract later this year. The new ISD is dependent upon the selected bid.

RN Naval Base Clyde

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 20 January 1999, *Official Report*, columns 460–61, on RN Base Faslane, on what date BP4 probes started to be used at RN Naval Base Clyde to monitor personnel leaving the reactor compartments of nuclear submarines. [69088]

Mr. Spellar: The BP4 probe has been in use at HM Naval Base Clyde for approximately 15 years.

RN Base Faslane

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the radiation hotspots discovered in M11 workshop at RN Base Faslane in 1989. [69466]

Mr. Doug Henderson: No radiation "hotspots" were discovered in the M11 workshop in 1989.

Future Engineer Tank

Mr. Key: To ask the Secretary of State for Defence if he will make a statement on the Future Engineer Tank; and if he will list the project milestones. [68516]

Mr. Spellar *[holding answer 3 February 1999]:* The Future Engineer Tank programme will provide the Army with modern armoured bridge launchers and engineer vehicles to support the Challenger 2 Main Battle Tank. A number of potential solutions have been identified and the MOD plans to let feasibility study contracts with Vickers Defence Systems, Alvis Vehicles Ltd. and OBRUM, in partnership with Marconi Electronic Systems (Land and Naval). Depending on the results of the feasibility study phase, which are expected to report next year, we expect to select one contractor to develop and manufacture both variants.

We currently require an in service date of around 2004.

RAF Dishforth

Miss McIntosh: To ask the Secretary of State for Defence if he will make a statement on the long-term future of RAF Dishforth. [69178]

Mr. Doug Henderson: On current plans, RAF Dishforth will continue to be used both as a helicopter base and for training aircraft operating from RAF Linton-on-Ouse.

Tornado

Mr. Hancock: To ask the Secretary of State for Defence what were the average flying hours in *(a)* 1997 and *(b)* 1998 for Tornado F3 aircraft in service with the RAF. [69383]

Mr. Doug Henderson: Tornado F3 aircraft each flew an average of 24.5 hours per month in 1997 and 21 hours in 1998.

Canberra Aircraft

Mr. Hancock: To ask the Secretary of State for Defence what were the average flying hours in *(a)* 1997 and *(b)* 1998 of Canberra aircraft in service with the RAF. [69674]

Mr. Doug Henderson: Canberra aircraft each flew an average of 21 hours per month in 1997 and 17 hours in 1998.

European Parliamentary Constituencies

Mr. Hoyle: To ask the Secretary of State for Defence when his Department adopted the European parliamentary constituencies as a geographical unit for decision making. [69378]

Mr. Doug Henderson: My Department has not adopted the European Parliamentary Constituencies as a geographical unit for decision making.

Departmental Property

Mr. Key: To ask the Secretary of State for Defence if he will list property owned by his Department which he plans to dispose of with outline proposals for *(a)* housing, *(b)* industrial use and *(c)* other uses, indicating the size of each site and the number of houses or premises projected. [69572]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

London Irish Rifles Company

Mr. Letwin: To ask the Secretary of State for Defence what arrangements have been made to assure the continuity of the London Irish Rifles Company. [69485]

Mr. Doug Henderson: The London Irish Rifles will form part of the new London Battalion, which is part of the new structure for the Territorial Army announced by my right hon. Friend the Secretary of State on 17 November 1998, *Official Report*, columns 749–71. The London Battalion, which has yet to be given formal name, will have 6 companies with a total strength of some 658 volunteers. The intention is that the units that will make up the London Battalion will be able to retain their capbadge affiliations within the new structure, if they so wish.

RAF Manston (Military Equipment)

Ann Clwyd: To ask the Secretary of State for Defence what investigations are taking place into an incident in May 1998 involving a cargo of military equipment flown from RAF Manston destined for South Africa which failed to reach its destination; and if he will make a statement. [68236]

Mrs. Roche: I have been asked to reply.

The investigation of alleged breaches of United Kingdom export controls is a matter for HM Customs & Excise. It is not normal practice to comment publicly about the existence or nature of such investigations.

TREASURY

Nicaragua

Mr. Hoyle: To ask the Chancellor of the Exchequer what plans the Government have to write off the debt of Nicaragua with UK institutions. [68469]

Mrs. Roche *[holding answer 1 February 1999]:* The UK has written off all aid loans debt to Nicaragua. We have also pledged that Nicaragua need make no debt service payment to the UK over the next three years, at which time Nicaragua is expected to qualify for debt write off under the Heavily Indebted Poor Countries (HIPC) initiative.

Mr. Hoyle: To ask the Chancellor of the Exchequer what financial assistance has been given to Nicaragua in the relief effort since Hurricane Mitch; and what assistance he will provide in the future. [68468]

Mrs. Roche *[holding answer 1 February 1999]:* The UK has contributed £10 million to the trust fund set up by the International Financial Institutions for assistance to meet Nicaragua's multi-lateral debt service obligations and participated in an international debt relief package for Honduras and Nicaragua at the Paris Club, which will amount to over $100 million dollars of debt relief.

Electronic Warfare

Mrs. Lait: To ask the Chancellor of the Exchequer, pursuant to the answer of the Secretary of State for the Home Department of 25 January 1999, *Official Report*, column 75, on electronic warfare, what responsibilities of his Department for measures against information warfare will come within the lead responsibility of the Secretary of State for the Home Department. [68314]

Dawn Primarolo: The Home Secretary's reply of 25 January set out his new responsibilities to co-ordinate action across government and to work with the private sector to ensure adequate protection for the UK's critical IT infrastructure. The responsibilities of individual Departments have not changed.

In this context, HM Treasury has responsibility for the regulatory framework for the financial sector. Within this framework, the Financial Services Authority has operational responsibility for banking supervision, which includes ensuring that banks have sufficient systems and controls to protect themselves against the possibility of attack. The Bank of England oversees the UK payment systems industry.

Inland Revenue and HM Customs and Excise have responsibility for ensuring the robustness of their systems against attack.

Defence Pensions Expenditure

Mr. Maude: To ask the Chancellor of the Exchequer if he will list his latest estimates and forecast expenditure in cash terms for (i) defence superannuation less charges, (ii) civil superannuation less charges and (iii) pension increase payments for *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–00, *(d)* 2000–01 and *(e)* 2001–02. [68379]

Mr. Milburn: Latest figures for net pensions expenditure can be found in Supply Estimates 1998–99, Main Estimates (Cm 635, April 1998). Supply Estimates for 1999–2000 will be presented to Parliament in the Spring. Figures for historical figures are available in the Appropriation Accounts of the respective departmental votes.

International Bodies (UK Contributions)

Mr. Gill: To ask the Chancellor of the Exchequer what was the United Kingdom's net contribution to *(a)* the European Union, *(b)* NATO, *(c)* the United Nations, *(d)* the Council of Europe, *(e)* the WEU and *(f)* the OSCE in the latest year for which figures are available. [67119]

Mrs. Roche: In 1997–98, the latest year for which figures are available, the United Kingdom's net contributions were:

£ million

Organisation	*1997–98 net contributions*
European Community Budget	2,567
NATO	122
United Nations	82
Council of Europe	17
WEU	2
OSCE	6

Mrs. Virginia Bottomley: To ask the Chancellor of the Exchequer what was the United Kingdom's total financial contribution to the EU in 1997–98. [69165]

Mrs. Roche: The United Kingdom's net contribution to the EC Budget in 1997–98 was £2.6 billion.

Comprehensive Spending Review

Mr. Maude: To ask the Chancellor of the Exchequer if he will extend footnote 3 of Table A2 in the 1998 Comprehensive Spending Review to cover the years 1993–94 to 1997–98. [68389]

Mrs. Roche: Outturn figures for the UK's net contribution are published each year in the Departmental Report of the Chancellor of the Exchequer's Departments, the last being Cm 3917 of April 1998. The most current estimate of the figure for 1997–98 is £2.6 billion.

Local Government Expenditure

Mr. Maude: To ask the Chancellor of the Exchequer if he will provide latest estimates and forecasts for (i) local authority self-financed expenditure and (ii) Scottish non-domestic rate payments, for *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–01 and *(e)* 2001–02. [68393]

Mr. Milburn: The latest estimate and forecasts of local authority self-financed expenditure are shown in the table.

Local authority self-financed expenditure

	£ billion
1997–98 estimated outturn	13.7
1998–99 estimated outturn	14.5
1999–2000 forecast	15.5
2000–01 forecast	16.6
2001–02 forecast	17.9

Scottish Non-Domestic Rates payments distributed to local authorities for 1997–98, 1998–99 and 1999–2000 are £1,326 million, £1,395 million and £1,441 million respectively.

As of 1 July 1999, responsibility for Scottish non-domestic rates will be devolved to the Scottish Ministers and the Scottish Parliament. The Scottish non-domestic rates yield for 2000–01 and 2001–02 will therefore depend on decisions by the Scottish Ministers and the Scottish Parliament.

Child Benefit

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he would estimate the rates of child benefit for the first and subsequent children from April 1999 required to ensure that if a higher rate taxpayer in receipt of child benefit paid tax on it at *(a)* the higher rate or *(b)* the standard rate, the net cash amount of benefit received remained at the level already announced from April 1999; if he would further estimate (1) the gross annual programme cost of increasing child benefit to those levels and (2) what would be the net cost to the Exchequer of raising child benefit to those levels (i) with no taxation and (ii) with higher rate taxpayer recipients paying tax on the benefit at the higher rate, taking into account the consequential effects on working families tax credit, income support payments and other means-tested benefits. [67795]

Mrs. Roche *[holding answer 3 February 1999]:* The required rates of child benefit and the gross and net costs, are given in the table. The net costs take into account the consequential effects on income support, housing benefit and council tax benefit. Entitlement to Working Families Tax Credit is not affected by changes to child benefit rates.

From April 1999	*Rates of child benefit* *First child (£)*	*Subsequent children (£)*	*Gross cost (£ billion)*	*Net cost with no taxation (£ billion)*
	14.40	9.60	—	—
(a) To give equivalent net cash amount when taxed at the higher rate of 40 per cent.	24.00	16.00	5.5	4.4
(b) To give equivalent net cash amount when taxed at the basic rate of 23 per cent.	18.70	12.45	2.4	1.9

If all child benefit payments to those mothers or lone fathers who were liable at the higher rate of 40 per cent. were taxable, the yield for 1999–2000 would be about £60 million with the child benefit rates at *(a)* and about £50 million with the child benefit rates at *(b)*. Taxing child benefit for higher rate taxpayer recipients has no consequential effects on benefits.

Customs and Excise

Mr. Rooney: To ask the Chancellor of the Exchequer how many vacancies there were in operation posts of Customs and Excise in (i) South Wales, (ii) Newcastle-upon-Tyne and (iii) West Yorkshire in *(a)* January 1995, *(b)* January 1996, *(c)* January 1997, *(d)* January 1998 and *(e)* at the latest available date. [68815]

Dawn Primarolo *[holding answer 3 February 1999]:* The following figures show the vacancies filled during the periods in question.

	South Wales	*Newcastle/West Yorkshire*
January 1995	[1]—	32
January 1996	93	117
January 1997	98	164
January 1998	132	29
January 1999	0	2

[1] No figures available

Scottish Consolidated Fund

Mr. Swinney: To ask the Chancellor of the Exchequer what powers of direction he will have over money transferred to the Scottish Consolidated Fund as a consequence of increased investment in specific, nominated projects in England and Wales; if such money would have to be used by the Scottish Parliament for identical projects in Scotland or for projects in the same departmental heading; and what monitoring role his Department would have over the use of such money. [68599]

Mr. Milburn *[holding answer 3 February 1999]:* The Scottish Parliament will have the maximum freedom to determine its own expenditure priorities within the funds allocated to it. Control and scrutiny of spending by Ministers of the Scottish Parliament will be a matter for the Scottish Parliament. The Treasury will continue to collect and publish information on spending in Scotland.

Mr. Swinney: To ask the Chancellor of the Exchequer what plans he has to establish a public service agreement between the Treasury and the Scottish Executive over moneys transferred to the Scottish Consolidated Fund; what will be the purpose of such an agreement; and what discussions he has had with the Scottish Office on this issue. [68430]

Mr. Milburn *[holding answer 3 February 1999]:* I have no plans to establish a public service agreement between the Treasury and the Scottish Executive.

Departmental Expenditure

Mr. Swinney: To ask the Chancellor of the Exchequer if he will state the real terms annual percentage change in spending in *(a)* England and Wales and *(b)* Scotland between 1996–97 and 2001–02 on (i) education, (ii) health, and (iii) transport, broken down into (1) roads and (2) rail, (iv) housing, (v) police and (vi) local government. [68431]

Mr. Milburn *[holding answer 3 February 1999]:* The allocation of expenditure to the programmes listed (with the exception of police spending in Wales) will be matters for the National Assembly of Wales and the Scottish Parliament when they assume powers on 1 July.

Smuggling (Tobacco and Alcohol)

Mrs. Lait: To ask the Chancellor of the Exchequer what work is being undertaken by HM Customs and Excise to include seizures at airports, EU diversion fraud and smuggling in freight containers originating outside the EU within the estimates of the revenue from *(a)* tobacco and *(b)* alcohol lost as a result of smuggling. [69532]

Dawn Primarolo: HM Customs and Excise's current estimate of the annual revenue lost (excise duty and VAT) through the smuggling of tobacco products by air passengers is £50 million. This estimate is contained in a report laid in the House of Commons on 19 November 1998. There is no estimate of the revenue lost through smuggling by air passengers of alcoholic drinks, but this is not believed to be on a comparable scale.

HM Customs and Excise are currently working with representatives of the trade and other interested parties to establish robust methodologies for the measurement of excise duty evasion as a whole. This work is in keeping with one of the recommendations of the report of the Alcohol and Tobacco Fraud Review, which was published in July 1998.

Mrs. Lait: To ask the Chancellor of the Exchequer what is the latest estimate by HM Customs and Excise of the revenue lost on *(a)* tobacco and *(b)* alcohol products as a result of smuggling and bootlegging in the current financial year; and what are the final figures for the last financial year. [69531]

Dawn Primarolo: HM Customs and Excise estimates for the revenue lost (excise duty and VAT) through smuggling of alcohol and tobacco products are produced on a calendar year basis. Their most recent estimates are contained in a report laid in the House of Commons library on 19 November 1998.

In 1998, Customs estimate that £1,000 million was lost through cross-Channel smuggling of tobacco products, and £220 million through such smuggling of alcoholic drinks. The equivalent estimates for 1997 are £790 million for tobacco products and £180 million for alcoholic drinks. Customs also estimate that the annual revenue currently lost through smuggling of tobacco products by air passengers is about £50 million.

These estimates exclude any amounts for revenue lost through smuggling in very large freight consignments, for which Customs have not published any estimates.

Mrs. Lait: To ask the Chancellor of the Exchequer what further resources are planned for HM Customs and Excise to combat smuggling and bootlegging from sources *(a)* within and *(b)* outside the EU in addition to those already announced since May 1997. [69553]

Dawn Primarolo: Customs has been allocated £35 million under the Comprehensive Spending Review to tackle evasion of alcohol and tobacco duties. This includes over 100 additional front line staff, both at ports and inland, to combat the smuggling and distribution of illicit goods. The staff will not deal exclusively with goods from within or outside the EU; they will tackle fraudulent activity whatever the source. They will all be in post by 1 April.

Mrs. Lait: To ask the Chancellor of the Exchequer what discussions are taking place with customs authorities outside the EU to determine the amount of smuggled alcohol and tobacco products which originate outside the EU. [69529]

Dawn Primarolo: HM Customs and Excise are currently working with representatives of the trade and other interested parties to establish robust methodologies for the measurement of excise duty evasion as a whole. For measurement purposes, the split between EU and non-EU sourced smuggling is a secondary factor.

Customs and Excise have contact with many non-EU customs authorities for operational purposes.

Mrs. Lait: To ask the Chancellor of the Exchequer for what reasons seizures at airports, EU diversion fraud and smuggling in freight containers originating outside the EU are excluded from the official HM Customs and Excise estimate of the revenue lost on *(a)* tobacco and *(b)* alcohol products as a result of smuggling. [69528]

Dawn Primarolo: HM Customs and Excise's current estimate of the annual revenue lost (excise duty and VAT) through the smuggling of tobacco products by air passengers is £50 million. This estimate is contained in a report laid in the House of Commons on 19 November 1998. There is no estimate of the revenue lost through smuggling by air passengers of alcoholic drinks, but this is not believed to be on a comparable scale.

Customs' published estimates of the scale of cross-Channel smuggling and smuggling by air passengers are based on statistical surveys of returning UK passengers conducted each year by Customs. Due to their hidden nature, and lower incidence, it is not practical directly to measure EU diversion fraud and smuggling in very large freight consignments by such means. However, HM Customs and Excise are currently working with representatives of the trade and other interested parties to establish robust methodologies for the measurement of excise duty evasion as a whole. This work is in keeping with one of the recommendations of the report of the Alcohol and Tobacco Fraud Review, which was published in July 1998.

ECOFIN

Mr. Baker: To ask the Chancellor of the Exchequer if he will list the *(a)* Ministers and *(b)* officials, indicating the departments represented, who were present at the ECOFIN meeting on 26 January. [69249]

Mrs. Roche *[holding answer 4 February 1999]:* There was no meeting of the Economic and Finance Council (ECOFIN) on 26 January. The Chancellor of the Exchequer attended a meeting of ECOFIN on 18 January, accompanied by a number of officials.

Mr. Baker: To ask the Chancellor of the Exchequer if he will list the EU countries which, at the ECOFIN meeting in Brussels on 26 January, declared *(a)* in favour and *(b)* against ecological tax reform; and if he will make a statement on the Government's policy. [69306]

Mrs. Roche *[holding answer 4 February 1999]:* The ECOFIN Council agreed at the meeting held on 1 December 1998 to mandate officials to continue work on a framework of energy taxation based on the draft Energy Products Directive. The meeting held on 26 January was a technical working group discussion on the draft Directive. Member States were not asked to say whether they were in favour or against ecological tax reform. The working group is expected to report back to ECOFIN in due course.

The Government's position on the Energy Products Directive is that we favour some aspects of the proposal, such as higher minimum rates of tax on road fuels.

However, we could not accept, for social policy reasons, any obligation to impose new taxes on domestic fuel and power. Our attitude to new taxes on business use of energy will depend on the decisions we take in the light of Lord Marshall's report on 'Economic Instruments and the Business Use of Energy' which was published on 3 November 1998.

Barnett Formula

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what plans he has *(a)* to review and *(b)* to alter the Barnett formula. [69238]

Mr. Milburn *[holding answer 4 February 1999]:* I have no such plans.

Financial Services Bill

Mr. Loughton: To ask the Chancellor of the Exchequer when he plans to announce a timetable for the setting up of the Joint Committee on the proposed Financial Services Bill; when the proposed Membership of the Joint Committee will be announced; what criteria will be used in proposing members; and when the proposed remit of the Joint Committee will be announced. [R] [69183]

Mrs. Roche *[holding answer 4 February 1999]:* The Joint Committee will be appointed after discussions through the usual channels and the necessary motions will be tabled soon.

Counterfeit Euro Notes

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what evidence he has evaluated on the printing of counterfeit Euro notes in advance of their distribution; and if he will make a statement. [69196]

Mrs. Roche *[holding answer 4 February 1999]:* There is no specific evidence available at this stage of any counterfeit Euro notes. But police intelligence is constantly alert to the possibility of such activity. Moreover, there is a framework of international co-operation already in place to combat the counterfeiting of the Euro currency.

Brazilian Parrots

Mr. Dalyell: To ask the Chancellor of the Exchequer, pursuant to the letter of 28 October from the Financial Secretary to the hon. Member for Linlithgow (3/5658/98) concerning the Customs and Excise investigation into Lear's macaws and other parrots, what is the current position in respect of the Lear's macaws and their return to Brazil. [65406]

Dawn Primarolo *[holding answer 21 January 1999]:* The Lear's macaws and other parrots have been seized as they are suspected to be liable to forfeiture. They are being kept in secure accommodation pending civil condemnation proceedings.

Pensions Mis-selling

Dr. Cable: To ask the Chancellor of the Exchequer how many cases have been referred to the police for criminal prosecution as a result of pensions mis-selling in the last five years. [68806]

Mrs. Roche: None.

Financial Services Industry

Mr. Cash: To ask the Chancellor of the Exchequer what assessment he has made of the effect of the European Court of Justice Ruling (C172/96) on the UK financial services industry; what estimate he has made of the cost of the ruling to HM Customs and Excise; and if he will make a statement. [68816]

Dawn Primarolo: The European Court of Justice ruled (C172/96) on 14 July 1998 that foreign exchange (forex) transactions are supplies for VAT purposes. This ruling will effect the extent to which financial institutions will be able to recover VAT on purchases relating to these transactions. In some cases, it will reduce the amount of VAT recoverable, but for those UK financial institutions with a wide range of non-EU, international customers it should increase the amount of recoverable tax. This is because these institutions will now be able to recover the VAT on forex transactions supplied to persons outside the EU where they were not previously able to do so. Some of these same institutions may also benefit if they apply the ruling to forex transactions which were made before 14 July 1998. The ECJ ruling will have no significant effect on the costs of HM Customs and Excise.

Child Care Vouchers

Mr. Cohen: To ask the Chancellor of the Exchequer if he will make it his policy that child care vouchers issued by employers should not be counted as part of an employee's taxable income; and if he will make a statement. [68964]

Dawn Primarolo: The Government have no plans to exempt employer-provided child care vouchers from tax as a benefit in kind. Help for child care costs will be available to those who need it most through the child care tax credit, which forms part of the Working Families Tax Credit, to be introduced from 5 October this year.

New Deal (Young People)

Mr. Brady: To ask the Chancellor of the Exchequer, pursuant to the oral answer to the hon. Member for Buckingham (Mr. Bercow) of 14 January 1999, *Official Report*, columns 430–31, on the New Deal for Young People, what assumptions in respect of savings in benefits and increased tax revenue from those funding work are made in his calculations of the cost per job; and if it is his intention to apply this methodology to other Government programmes. [66592]

Mrs. Roche *[holding answer 19 January 1999]:* I warmly endorse the answers given by my right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities to the hon. Member for Buckingham (Mr. Bercow) on the New Deal for Young People on 14 January 1999, *Official Report*, columns 431–31. Expenditure on the New Deal is, as he said, money well spent. Early evidence suggests that the New Deal has speeded up the rate of exit from unemployment and the rate of entry into jobs amongst 18–24 year olds.

The Government's estimate of the average cost of jobs secured so far through the New Deal does not rely on assumptions in respect of savings in benefits and increased tax revenue. However, it does take general account of these factors when assessing the effectiveness of employment or other analogous programmes. As the New Deal increases sustainable employment and reduces structural unemployment, revenue would be gained and benefit outlay reduced as a result. This would contribute to the Government's Welfare to Work agenda, reducing dependency, maximising self-determination and contributing to the development of communities.

Ministerial Travel

Mr. Derek Twigg: To ask the Chancellor of the Exchequer if he will make available details of his travel arrangements for attending international meetings of finance ministers in September 1997. [70306]

Mr. Gordon Brown: Details have been placed in the Library of the House.

Mr. Maples: To ask the Chancellor of the Exchequer (1) what was the cost of the chartered helicopter he used between the airport and his hotel in Mauritius when he attended the Commonwealth finance ministers meeting in September 1997; [69412]

(2) what assistance the British High Commission in Mauritius gave in arranging to charter the helicopter used by the Chancellor of the Exchequer between the airport and the hotel during the Commonwealth finance ministers meeting in September 1997. [69413]

Mr. Gordon Brown *[holding answer 1 February 1999]:* I refer the hon. Gentleman to the answer I am giving today to my hon. Friend the Member for Halton (Mr. Twigg), *Official Report, column* 31.

Windfall Tax (Agricultural Land)

Mr. Flynn: To ask the Chancellor of the Exchequer what plans he has to introduce a tax on windfall profits on the sale of agricultural land for development purposes. [69308]

Dawn Primarolo: My right hon. Friend the Chancellor of the Exchequer will be making his Budget statement on 9 March.

Government Expenditure

Mr. Wallace: To ask the Chancellor of the Exchequer if he will publish a table showing both expenditure and per capita expenditure for *(a)* Northern Ireland, *(b)* Scotland, *(c)* Wales and *(d)* England for the years 1992–93 to 1998–99, analysed by the same programmes as Table 7.6B of Cm 3901. [69565]

Mr. Milburn: Tables showing identifiable General Government Expenditure (GGE) and identifiable GGE per capita, by territory and broad function, for the years 1992–93 to 1996–97 were published in Chapter 7 of the last edition of Public Expenditure Statistical Analyses (PESA) (Cm 3901). Tables for the years 1993–94 to 1997–98 will be published in PESA 1999–2000.

INTERNATIONAL DEVELOPMENT

Colombia

Mr. Gerald Howarth: To ask the Secretary of State for International Development when her Department first made contact with the Pathfinders rescue organisation following the earthquake in Colombia. [69367]

Clare Short: My Department has not been contacted by the Association of Pathfinders in relation to the Colombian earthquake. The International Rescue Corps and RAPID UK, which are partners of the Association of Pathfinders, were in contact with my Department and undertook, independently, search and rescue work in Colombia. Both organisations were facilitated in their efforts in-country by the British Embassy in Bogota.

Mr. Soley: To ask the Secretary of State for International Development what plans her Department has to assist Colombia following the recent earthquake disaster. [69479]

Clare Short: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 4 February 1999, *Official Report*, column *723*.

Technical Assistance Programmes

Mr. Streeter: To ask the Secretary of State for International Development what proportion of her Department's budget for 1997–98 was spent on technical assistance. [69478]

Clare Short: In 1997–98 DFID spent £676 million on technical co-operation (comprising capital-related TC, stand alone TC, grants and other aid in kind). This represented 65 per cent. of the Department for International Development's bilateral programme and 33 per cent. of total expenditure.

Mr. Streeter: To ask the Secretary of State for International Development if she will list the technical assistance programmes that her Department funded in 1997–98. [69477]

Clare Short: Technical co-operation expenditure in 1997–98 was allocated regionally as follows:

Country	*£ million*	*Percentage*
Africa	197	29
of which, South of the Sahara	186	28
America	62	9
Asia	173	26
Europe	87	13
Pacific	5	1
Non-region specific	152	22
Total	676	100

Technical co-operation (TC) currently comprises expenditure on capital-related TC, stand alone TC, grants and other aid in kind as follows:

personnel

training and scholarships

knowledge generation (including technology development and research)

support to the development work of the UK and international voluntary organisations

grants to the British Council and for other development work by the UK institutions

non-emergency appeals through multilateral agencies

British Partnership and Heads of Mission Gift schemes

funding of land and geological surveys in developing countries

provision of books, equipment and other supplies in support of TC

funding of evaluation of aid activities

cost of certain pensions and related payments where the UK has taken over responsibility from the governments of developing countries.

Know How Fund

Mr. Cox: To ask the Secretary of State for International Development what is the budget of her Department from the Know How fund for 1999. [69068]

Clare Short: The Know How Fund budget for financial year 1998–99 is that published in the Departmental Report: £79 million.

Future years are currently being considered in the Resource Allocation Round.

The final figure will be published in the next Departmental Report in March 1999.

Overseas Aid

Mrs. Virginia Bottomley: To ask the Secretary of State for International Development how much was spent on overseas aid in 1997–98 by her Department in *(a)* India, *(b)* Pakistan, *(c)* Bangladesh, *(d)* Zimbabwe and *(e)* Kenya. [69166]

Clare Short: The Department for International Development bilateral programme expenditure in 1997/98 to the countries specified is given in the table.

1997–98	*£ million*
India	80.9
Pakistan	27.8
Bangladesh	38.9
Zimbabwe	12.2
Kenya	29.2

Aid Debt

Mr. Streeter: To ask the Secretary of State for International Development how much bilateral aid debt of developing nations has been cancelled by Her Majesty's Government since 1 May 1997. [69225]

Clare Short: In September 1997, as part of the Mauritius Mandate, we agreed to cancel the outstanding aid debts, worth £132 million, owed by those lower income Commonwealth countries that are committed to pursuing the international development targets, that are following sound policies which benefit the poor and promote responsive and accountable government, and that are bearing down on corruption. To date, under this initiative we have cancelled aid debts worth £29 million.

In August 1997 we agreed a package of assistance to help the Government of Antigua and Barbuda with the costs arising from the influx of people from Montserrat following the volcanic eruptions there. This package included debt relief of £1.25 million.

In addition, in the last two financial years, we have forgone repayments of aid loans totalling £38.8 million under debt relief agreements reached before May 1997.

Departmental Expenditure

Mr. Streeter: To ask the Secretary of State for International Development what proportion of her Department's budget in the year 1997–98 was paid *(a)* directly to other Governments, *(b)* to non-Governmental organisations outside of the United Kingdom and *(c)* to the EU. [69226]

Clare Short: The information is as follows:

(a) Amounts paid directly to recipient country governments (that is, financial aid, programme aid, aid and trade provision, and debt relief) totalled £257 million in 1997–98. This represented 25 per cent. of DFID's bilateral programme expenditure in that year (12 per cent. of total expenditure).

(b) Payments to non-governmental organisations outside the UK are not separately identifiable in the statistics for 1997–98.

(c) Our contribution to the EC in 1997–98 was £536 million which represented 56 per cent. of DFID's multilateral programme expenditure in 1997–98 (26 per cent. of total expenditure).

Human Rights

Mr. Cox: To ask the Secretary of State for International Development if she will list the countries with whom she has discussed their human rights record during the last 12 months. [69401]

Clare Short: Efforts to secure human rights, including economic and social rights, are an integral part of building sustainable development. These issues are part of my dialogue with all countries where we work.

Street Children

Mr. Cox: To ask the Secretary of State for International Development if she will list the countries in which her Department currently supports programmes to assist street children. [69389]

Clare Short: The main countries in which we are currently funding programmes to assist street children are listed. In addition to these country-specific initiatives, we support organisations with programmes for street children in a large number of countries. These include The Consortium for Street Children, UNICEF and the International Programme for the Elimination of Child Labour of the ILO which, between them, cover all countries.

Brazil

Ecuador

Kenya

India

South Africa

Russia
India
Tanzania
Myanmar (Burma)
Zambia
Uzbekistan
Kurdistan
Bangladesh.

PRIME MINISTER

Business Costs (EU Directive)

Mr. Brady: To ask the Prime Minister if he will list the EU directives which he has identified as affecting business costs and which he is seeking to renegotiate. [69743]

The Prime Minister: The Government are committed to working with the Commission and other Member States to ensure that EC legislation does not impose unwarranted burdens on business.

We are actively engaged in the SLIM initiative (Simpler Legislation for the Internal Market) which revisits specific EC rules to find ways of making them more effective and less burdensome on individuals and business. Under our Presidency of the EU, we secured agreement to reviews of EC legislation covering electromagnetic compatibility, insurance and social security. We are now participating in further reviews of dangerous substances, pre-packaging and company law legislation.

The Government are also working to ensure that the impact of new EC legislation is properly assessed. For example, our Presidency of the EU saw the launch of a pilot European Business Test Panel, which consults business on specific proposals at an early stage in the legislative process. We are also seeking early implementation of the Business Environment Simplification Taskforce recommendations to reduce the administrative burdens on small firms. And the commission has now made a commitment to improve its business impact assessment system, known as the fiche d'impact.

"This Morning" (Interview)

Mr. Chope: To ask the Prime Minister if he will place in the Library a copy of the full transcript of his interview on ITV's "This Morning" programme on 1 February. [69995]

The Prime Minister: The transcript was provided by the programme. I have placed a copy in the Library.

Mr. Chope: To ask the Prime Minister what representations he has received on the accuracy of the transcript of his interview on 1 February issued by his office to journalists on 2 February; and if he will make a statement. [69994]

The Prime Minister: None.

Homelessness

Mr. Flynn: To ask the Prime Minister if he will establish a post of co-ordinator of the Government's policies in respect of the homeless. [69271]

The Prime Minister: Government policy on homelessness is co-ordinated by my hon. Friend the Minister for Local Government and Housing, in consultation with her colleagues, particularly my hon. Friends the Minister with responsibility for housing, transport and European affairs for Scotland, the Minister with responsibility for the environment and agriculture for Northern Ireland and the Minister responsible for housing in Wales. The problems of rough sleeping are particularly intense in London, where there is borough and district fragmentation and a large number of rough sleepers. We are creating a new single unit for the capital with a unified budget for tackling these issues including housing, health, employment and resettlement to link the work of central Government departments and agencies, local authority services, the voluntary sector and business, as recommended by the Social Exclusion Unit. My hon. Friend the Minister for Local Government and Housing expects to announce the appointment of the new head of the London Unit shortly.

Carers

Kali Mountford: To ask the Prime Minister when he intends to publish the Government's National Strategy for Carers. [69764]

The Prime Minister: The Government's National Strategy for Carers, "Caring about Carers", is being published today. It describes what we have done so far to support people who provide care for their relatives or friends who are sick, disabled, vulnerable or frail. The Government intend to ensure that all of our policies take account of the needs of carers the majority of who are women. We are also introducing some major new initiatives.

I announced plans for a National Strategy for Carers, which I asked my hon. Friend the Member for Brent, South (Mr. Boateng), now the Minister of State, Home Office to lead, on 10 June 1998.

The report of the National Strategy for Carers is the result of a consultative process, involving a large number of Government departments, carers' organisations, representatives of the National Health Service and of local authorities, other voluntary organisations which help to support carers and the people for whom they care, and a number of individual carers.

Two-thirds of carers of working age are in paid employment, and the Government's family-friendly employment strategy will help them to combine paid work with their caring responsibilities. We propose to give carers, like all employees, the right to time off to deal with a family emergency. For those carers who cannot combine paid work with caring, perhaps because they need to care for a large part of each day, our policies are focused on proper support whilst caring and on enabling them to return to work when their caring responsibilities cease.

The National Health Service and local authorities need to provide carers with information about services and to involve them in the planning of those services, so that carers' main needs are met better than they have been in the past. The Government's National Priorities Guidance to health and local authorities will require those authorities to help carers to maintain their physical health and emotional wellbeing.

We have already announced an extra £750 million over the next three years to promote independence through prevention of illness and disease and through rehabilitation. Carers and the people they care for will benefit from this.

In addition, we are providing funding from within the Comprehensive Spending Review Plans, totalling £140 million over the next three years in England, to local authorities to enhance the provision of services which allow carers to take a break from their caring responsibilities. The new ring fenced special grant will total £20 million in 1999–2000, £50 million in 2000–01, and £70 million in 2001–02.

The Government also intend, when Parliamentary time allows, to introduce new legislation to extend local authorities' powers to address carers' needs directly, which is frequently not possible at present.

The Government wish to ensure that all carers have access to a support service in the area in which they live. Health and local authorities, acting together, will be asked to involve carers and their organisations in drawing up jointly agreed plans (for inclusion in their Joint Investment Plans) for provision for carers in their areas, including for carers' support services.

We intend to trial a new question on carers for the 2001 Census. This should provide better information about the distribution of carers between local authority areas and on the numbers of young carers and those from minority ethnic groups.

The Government are also announcing today that the scheme for reductions in council tax for disabled people will be changed from 1 April 2000, so that those who live in accommodation which is valued at band A and which has an extra room which they need because of their disability, or enough floor space to allow wheelchair circulation, should receive a reduction in council tax similar to that currently given for the other bands.

The National Carers' Strategy also contains the Government's proposals to support young carers, including the provision of help for them in schools.

It is the Government's intention to continue work to support carers and to monitor implementation of these new initiatives.

Social Exclusion Unit

Mr. Keith Simpson: To ask the Prime Minister if he will list *(a)* the number of meetings of, *(b)* the membership of, *(c)* the budget of and *(d)* the issues addressed so far by, the Social Exclusion Unit. [69574]

The Prime Minister: The Social Exclusion Unit was established in December 1997. It currently consists of 29 permanent, seconded and temporary staff from a wide range of backgrounds inside and outside the Civil Service.

Members of the Unit meet frequently with Ministers, officials from other departments, and people with a wide range of experience from outside Government.

To date, the Unit has completed projects on:

Truancy and School Exclusion (report published May 1998)

Rough Sleeping (report published July 1998)

Neighbourhood Renewal (report published September 1998).

The Unit is currently working on:

Further policy formulation on the problems facing poor neighbourhoods, leading to the publication of a new national strategy on neighbourhood renewal to be unveiled in the year 2000.

Reports to me on Teenage Parenthood and 16–18 year olds not in education, training and/or employment.

The Unit's total budget for 1998–99 is £822,917.

Professor Lawrence Freedman

Mr. Keith Simpson: To ask the Prime Minister what are the *(a)* role and *(b)* responsibilities in the Cabinet Office of Professor Lawrence Freedman. [69490]

The Prime Minister: I refer the hon. Member to the answer I gave him on 3 February 1999, *Official Report*, columns *646–47*.

Gibraltar

Mr. Tyrie: To ask the Prime Minister when he next intends to raise Spain's closure of the Gibraltar frontier on 29 January with his Spanish counterpart. [69701]

The Prime Minister: The border between Gibraltar and Spain was closed on 29 January by a demonstration of Spanish fisherman and their sympathisers. We raised the matter with the Spanish authorities. This demonstration stopped on 30 January. We remain concerned that free movement across the border should be allowed, in conformity with EU obligations, and will continue to make this point to the Spanish authorities at every suitable opportunity.

NORTHERN IRELAND

Portadown

Mr. William Ross: To ask the Secretary of State for Northern Ireland that sums have been identified for a boost package for Portadown linked to efforts to resolve the Drumcree crisis; and from which sources these sums are to be appropriated. [67778]

Mr. Paul Murphy: No decisions have yet been taken about a package of measures for the Portadown area.

Autism

Dr. Kumar: To ask the Secretary of State for Northern Ireland (1) what assessment she has made of provision by health and social service boards in Northern Ireland of specialist placement for young persons and adults with autistic spectrum disorder; and if she will make a statement; [68556]

(2) what assessment she has made of the provisions for children with autism; and if she will make a statement. [68557]

Mr. McFall: The Department of Health and Social Services has not made any assessment of provisions of specialist services for people with autism. However, the

Department of Health and Social Services Boards, together with the Department of Education, have supported a diagnostic scoping study commissioned by the Northern Ireland voluntary organisation Parents and Professionals and Autism (PAPA). The aims of the study are to evaluate the effectiveness of the current range of services for people with autism and make recommendations for the enhancement of service provision.

Dr. Kumar: To ask the Secretary of State for Northern Ireland how many young persons and adults with autistic spectrum disorder are provided with specialist services; and if she will make a statement. [68554]

Mr. McFall: The Department of Health and Social Services does not collect information on people with autistic spectrum disorder or the specialist services with which they are provided.

Dr. Kumar: To ask the Secretary of State for Northern Ireland what discussions she has had with representatives of health boards about the provision for treatment of children with *(a)* Kanners autism and *(b)* autistic spectrum disorder; and if she will make a statement. [68559]

Mr. McFall: The Department of Health and Social Services has not had any discussions with Health and Social Services Boards specifically about the provision of treatment of children with Kanners autism or autistic spectrum disorder. The special health and social needs of autistic children are provided by Trusts' learning disability and child health staff, as appropriate, and the Department is in regular contact with both Boards and Trusts about the provision of care in those specialties.

Dr. Kumar: To ask the Secretary of State for Northern Ireland (1) how many children with autistic spectrum disorder in Northern Ireland are educated in schools or units which specialise in teaching children with autism; and if she will make a statement; [68555]

(2) what plans she has to ensure that every child with autism in Northern Ireland receives a minimum of an hour's one-to-one teaching each day by a qualified teacher; and if she will make a statement. [68558]

Mr. McFall: Information on autistic children in Northern Ireland is not held centrally. However, the Education and Training Inspectorate estimate that some 265 children with autistic spectrum disorder are currently enrolled at those special schools which cater for children with severe learning difficulties. The training provided for the teaching staff in these schools includes training to assist them in teaching children with autism. Education and Library Boards may arrange for particular levels of teaching support to be provided for individual children in accordance with their special educational needs and I have no plans to specify the minimum provision to be made for children with autism at this time.

Paramilitary Violence

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if she will list for the week ended 23 January the number of violent incidents involving paramilitary groups which took place in Northern Ireland, indicating how many involved *(a)* Loyalist and *(b)* Republican groups; [68725]

(2) if she will list for the week ended 23 January the number of *(a)* punishment beatings and *(b)* shootings which took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups. [68724]

Mr. Ingram: Between 17 and 23 January 1999, there were 4 shooting incidents and 3 bombing incidents.

The numbers of casualties as a result of paramilitary attacks are as follows:

	By Loyalists	*By Republicans*
Assaults	4	0
Shootings	2	1
Total	6	1

Note:

Figures may be subject to minor adjustment in the event of further information coming to light

The figure for shooting incidents includes 3 separate incidents resulting in 3 casualties as a result of paramilitary attacks and the fourth incident is not yet attributable to any grouping.

The bombing incidents reported are not yet attributable to any grouping; however, one has been claimed by the Orange Volunteers and two by the Red Hand Defenders.

Prisoners (Early Release)

Mr. Field: To ask the Secretary of State for Northern Ireland if she will list the prospective release dates of all prisoners qualifying for early release under the Belfast Agreement. [69091]

Mr. Ingram: The information in respect of prospective release dates is shown in the list. It provides the calculated release dates in accordance with the Northern Ireland (Sentences) Act 1998 for prisoners who have successfully applied to the Sentence Review Commission and who have received Substantive Determinations. Those listed with prospective calculated release dates falling after 28 July 2000 have a right to be released on that day. Details of individual prisoners names are not given for sensitivity and safety considerations. The information contained in the list is as at 4 February 1999.

15 February 1999
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12 February 2002
13 March 2002
13 March 2002
29 April 2002
12 June 2002
25 June 2002
8 July 2002
28 August 2002
18 November 2002
11 March 2003
13 March 2003
8 April 2003
25 July 2003
6 August 2003
10 November 2003
2 December 2003
7 February 2004

15 February 2004
16 March 2004
24 March 2004
14 October 2004
19 March 2005
10 May 2005
10 August 2005
17 August 2005
2 November 2005
18 November 2005
18 November 2005.

Wild Animal Imports

Mr. Baker: To ask the Secretary of State for Northern Ireland what plans she has to bring Northern Ireland law into line with that of Great Britain regarding the import of wild animals. [69285]

Mr. Paul Murphy *[holding answer 4 February 1999]:* A consultation paper setting out proposals for Northern Ireland legislation equivalent to the Dangerous Wild Animals Act 1976 was issued by the Department of the Environment for Northern Ireland on 5 February 1999. A copy has been placed in the Library.

TRADE AND INDUSTRY

Sports Organisations (Media Takeovers)

Mr. Bercow: To ask the Secretary of State for Trade and Industry if he will make a statement on his policy on takeovers of sporting organisations by media organisations. [65634]

Mr. Byers *[holding answer 14 January 1999]:* The Director General of Fair Trading advises on mergers which qualify for investigation under the Fair Trading Act 1973. Where a merger raises concerns in respect of a particular market it can be referred to the Monopolies and Mergers Commission (MMC) for investigation. All cases are considered on their individual merits.

Mr. Paterson: To ask the Secretary of State for Trade and Industry which papers relating to BSkyB's takeover of Manchester United were brought to the attention of his predecessor, the right hon. Member for Hartlepool (Mr. Mandelson); and what meetings his predecessor attended with *(a)* BSkyB and *(b)* Manchester United's management. [67287]

Mr. Byers *[holding answer 27 January 1999]:* I refer the hon. Member to the reply given to the hon. Member for Buckingham (Mr. Bercow), on 18 January 1999, *Official Report*, column *363*, and to the reply to Question 65643 tabled by the Member for Buckingham, answered above.

Mirror Group Flotation

Mr. Bercow: To ask the Secretary of State for Trade and Industry (1) when he expects to publish the report of the inquiry into the flotation of the Mirror Group; [65587]

(2) if he will publish an interim report into the inquiry on the flotation of the Mirror Group. [65586]

Mr. Byers: The Inspectors have not completed their inquiries. No interim report has been prepared by them. It is important for the inspection to be completed as quickly as is possible and for a final report to be submitted. The publication of an interim report could delay the publication of a final report.

Hollis Industries Plc

Mr. Bercow: To ask the Secretary of State for Trade and Industry which of his Department's Ministers had responsibility for his Department's inquiry into alleged accounting offences by Hollis Industries plc during the period from September to December 1998. [65592]

Mr. Byers: On 23 September 1998 my right hon. Friend the Member for Hartlepool (Mr. Mandelson) decided, after a discussion with the Permanent Secretary, that neither he nor any other DTI Minister should be involved in these inquiries and that they should be handled by officials. Ministers remained accountable to Parliament for any actions or decisions taken by officials.

Gas Generation

Mr. Boswell: To ask the Secretary of State for Trade and Industry what economic appraisal he has made of the additional energy costs to British industry which would result from an extension of the moratorium in gas generation approvals after spring 2000. [69180]

Mr. Battle *[holding answer 4 February 1999]:* As set out in paragraph 10.18 of the October 1998 White Paper, "Conclusions of The Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071), the Government do not consider that the stricter policy on consents for gas-fired power stations will have an adverse impact on competitiveness. This conclusion will remain valid, both before and after Spring 2000, if the conditions for relaxing the policy have not been met.

Former Ministers

Mr. Brady: To ask the Secretary of State for Trade and Industry what steps were taken by his predecessor to ensure that the business affairs of the hon. Member for Coventry, North-West (Mr. Robinson) were investigated by his Department without ministerial involvement. [66451]

Mr. Byers *[holding answer 18 January 1999]:* On 23 September 1998, the former Secretary of State for Trade and Industry decided, after discussion with the Permanent Secretary, that neither he nor any other DTI Minister should be involved in the inquiries the Department was making following certain allegations relating to companies with which my hon. Friend the Member for Coventry, North-West (Mr. Robinson) had been involved. No papers generated by the Department's inquiries, or concerning their substance, were at any time shown to my right hon. Friend the Member for Hartlepool (Mr. Mandelson).

Export Licences

Ann Clwyd: To ask the Secretary of State for Trade and Industry what steps his Department has taken to evaluate and audit the military, security and police equipment exported to Saudi Arabia by British Aerospace which, under the Al Yamamah agreement, is exempt from export licence requirement. [68330]

Mr. George Robertson: I have been asked to reply.

Equipment supplied to Saudi Arabia under the Al Yamamah programme is covered by contracts placed on British Aerospace by the Ministry of Defence. Prior to contract placement, the same criteria as those used for export licensing are applied when evaluating requirements.

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if he will list the export licences granted to GKL Group for the export of armoured vehicles components and weapons to Indonesia since 1988. [68329]

Dr. Howells: Inquiries are being made under the Code of Practice on Access to Government Information. Where confidential information is involved, the parties concerned may be asked if they consent to its disclosure, and this can take some time. I will write to my hon. Friend as soon as possible, and place a copy of that letter in the Library of the House.

Ann Clwyd: To ask the Secretary of State for Trade and Industry if he will list the military and paramilitary export licences granted to *(a)* Sky Air Cargo and *(b)* Occidental Airlines between 1 January 1996 and 1 January 1999, indicating the export category and country of destination in each case. [68238]

Dr. Howells: The export of specified military and paramilitary equipment is controlled under entries in the Export of Goods (Control) Order 1994, the so-called Military List. The Export Control Organisation's computer databases have been interrogated, and no standard or open individual export licences covering goods with such ratings are recorded as having been issued to these companies between 1 January 1996 and 1 January 1999.

This information should be considered in light of the answer given by the then Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report,* columns *870–71.*

Minister for Small Firms, Trade and Industry

Mr. Redwood: To ask the Secretary of State for Trade and Industry when the Minister for Small Firms, Trade and Industry *(a)* resigned his directorships and *(b)* sold his share holdings in (i) Juniper Communications Ltd., (ii) Juniper Production Ltd., (iii) Kaizuka Films Ltd., (iv) Spring Communications Ltd. and (v) Attractions Ltd. [67865]

Mr. Byers: The Minister for Small Firms, Trade and Industry resigned his directorships and sold his shares in Juniper Communications Ltd., Juniper Productions Ltd., Kaizuka Films Ltd., and Spring Communications Ltd. on 16 July 1998. The completion of formalities in relation to the legal (ie. non beneficial) interest in the shares occurred on 14 January 1999. As set out in his statement of 29 January 1999, which was placed in the Libraries of both Houses, he and his wife have retained a limited financial involvement with Juniper Communications Ltd. He resigned as a director and sold all of his shares in Attractions Ltd. on 7 January 1999.

Ministerial Office Attendance

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he will list the days on which he attended his office between 23 December and 8 January. [67476]

Mr. Byers *[holding answer 25 January 1999]:* I attended when necessary.

Commercial Lobbyists

Mr. Flynn: To ask the Secretary of State for Trade and Industry what rules or guidance his Department has to govern the *(a)* formal and *(b)* informal interaction between his civil servants and commercial lobbyists. [66216]

Mr. Byers: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister on 27 July 1998, *Official Report,* column *4,* in response to a question from my hon. Friend the Member for Pendle (Mr. Prentice).

Electro-shock Batons

Ann Clwyd: To ask the Secretary of State for Trade and Industry (1) which Saudi Arabian organisation was identified as the end user on the 1993 trans-shipment licence granted by his Department for the transfer of electro-shock batons from the United States to Saudi Arabia via the United Kingdom; [68195]

(2) how many electro-shock batons were shipped from the United States via the United Kingdom to Saudi Arabia under the trans-shipment licence that his Department granted in 1993; and if he will identify the company listed as the end user on the trans-shipment licence. [68196]

Dr. Howells: I refer my hon. Friend to the letter dated 1 August 1997 to her from the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), in which he stated that this licence covered the transhipment of 90 batons. A copy of this letter was placed in the Library of the House. The stated end-user was the security staff of the Arabian Oil Company Ltd.

Research Councils (Studentships)

Mr. Gorrie: To ask the Secretary of State for Trade and Industry how many research council funded studentships have been unfilled in *(a)* 1998–99, *(b)* 1997–98 and *(c)* 1996–97. [67156]

Mr. Battle *[holding answer 26 January 1999]:* Table 1 sets out the data for the Biotechnology and Biological Sciences Research Council (BBSRC), Engineering and Physical Sciences Research Council (EPSRC), Economic and Social Research Council (ESRC), Medical Research Council (MRC), and Natural Environment Research Council (NERC). Table 2 sets out the data separately for the Particle Physics and Astronomy Research Council (PPARC) as the introduction of the four year "MPhys/ MSci" degrees at undergraduate level has affected take-up, and PPARC's current policy has allowed carry over of unfilled studentships from year to year.

Table 1: Unfilled studentships

Research council	*1996–97* *Provision*	*Unfilled*	*1997–98* *Provision*	*Unfilled*	*1998–99* *Provision*	*Unfilled*
BBSRC	740	7	740	10	740	16
EPSRC	3,782	219	3,725	376	3,814	558
ESRC	921	0	981	8	1,166	24
MRC	340	23	351	20	350	17
NERC	544	13	538	3	546	6
Total	6,327	262	6,335	417	6,616	621

Notes:

1. The figures show the number of new studentships made available each year which were not taken up.
2. For BBSRC, the take-up figures are as at 1 January, for EPSRC 1 November, for ESRC 15 October, for MRC 30 September, and for NERC 31 July. The 1998–99 figures for BBSRC, EPSRC and MRC are provisional, as confirmation of the take-up of studentships may continue for several months yet, for example, in EPSRC's case until 31 March.

Table 2: Research Studentships

Research Council	*1996–97* *Provision*	*Taken up*	*1997–98* *Provision*	*Taken up*	*1998–99* *Provision*	*Taken up*
PPARC	150	112	158	172	167	171

Notes:

1. The figures show the number of new research studentships awarded in each year and the number taken up. PPARC's policy has allowed carry over of unfilled studentships from year to year.
2. PPARC also made provision of 15 advanced course studentships in 1996–97, all of which were taken up.

Working Time Directive

Mrs. Brinton: To ask the Secretary of State for Trade and Industry what representations he has received concerning the implementation of the Working Time Directive in the mining industry. [68912]

Mr. Ian McCartney: Draft regulations to implement the Working Time Directive were published for consultation on 8 April. DTI Ministers received a couple of responses from the quarrying sector but have not received any representations from the coal mining industry in response to the consultation or since.

Food Standards Agency

Mr. Chope: To ask the Secretary of State for Trade and Industry what role will be played by the Minister with special responsibility for small firms in the Government's consultation with small businesses on the proposed levy for the Food Standards Agency. [68972]

Mr. Wills *[holding answer 2 February 1999]*: As Minister with responsibility for small firms I am concerned to ensure that the arrangements over the levy to recover some of the costs of establishing the Food Standards Agency are fair to the smaller businesses involved. My hon. Friend the Minister for Competition and Consumer Affairs takes a strong interest in the development of these proposals and will continue to be involved as they evolve.

Power Stations

Mrs. Brinton: To ask the Secretary of State for Trade and Industry if he will list the power stations with FGD, indicating their capacity and the cost of installation of FGD in each case at current prices. [69065]

Mr. Battle: There are two power stations currently fitted with FGD abatement: Drax, owned by National Power plc with current registered capacity of 3,945 MW, and Ratcliffe, owned by PowerGen plc with a current registered capacity of 2034 MW.

In the February 1995 prospectus for the sale of the Government's remaining shares in the two companies, National Power estimated the capital cost of installing FGD at Drax at about £650 million and PowerGen estimated the capital cost of installing FGD at Ratcliffe at about £250 million. These estimates were made at the time the FGD plant was being installed.

In recent years, the cost of FGD plant has fallen. On 27 January 1999, Eastern Generation Ltd. applied for consent under Section 36 of the Electricity Act 1989 to retrofit FGD abatement to its 2012 MW plant at West Burton. In its original announcement of the project, Eastern Generation estimated the cost as being

"in excess of £100 million".

Mrs. Brinton: To ask the Secretary of State for Trade and Industry what estimates he has made of the cost of electricity per KWh produced by *(a)* existing coal-fired power stations, *(b)* new CCGT gas-fired power stations and *(c)* existing coal-fired power stations with FGD. [69064]

Mr. Battle: The costs of electricity from gas-fired and coal-fired power stations were considered as part of the Government's Review of Energy Sources for Power Generation.

The views of consultees and the Government's conclusions relating to new CCGT gas-fired stations and existing coal-fired stations, with and without FGD, are set out in paragraphs 5.38 to 5.41 of the Government's October 1998 White Paper "Conclusions of The Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071).

Protected Coal Market (Emissions)

Mr. Gummer: To ask the Secretary of State for Trade and Industry what estimate he has made of the impact on emissions of Government policies which have protected the market for coal. [69566]

Mr. Battle: The White Paper of October 1998, "Conclusions of The Review of Energy Sources for Power Generation and Government responses to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071), set out the Government's programme of reform in the electricity market and introduced a stricter policy on consents for gas-fired stations to protect diversity and security of supply while the programme of reform was under way. The White Paper discussed the environmental aspects of the Government's policy in Chapter 9 (Achieving sustainable energy supplies). An environmental appraisal was provided as Annexe H.

Redundancy Payments

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what plans he has to review the issuing of statutory redundancy payments by his Department. [68033]

Mr. Ian McCartney: The responsibility for making a statutory redundancy payment lies in the first instance with the redundant employee's former employer. It passes to the National Insurance Fund, however, in cases where the former employer is insolvent or otherwise unable to meet it, for example by reason of severe financial difficulty. We keep this aspect of the employment rights legislation under review, but have no plans to change it at present. The Department's Redundancy Payments Service processes applications for payment, working to performance targets published in its Service Charter and reviewed annually.

Multilateral Agreement on Investment

Mr. Letwin: To ask the Secretary of State for Trade and Industry if it is his policy to ensure that the MAI is negotiated in open session in the World Trade Organisation. [69487]

Mr. Wills: Negotiations on the Multilateral Agreement on Investment (MAI) are no longer taking place. The Government are now pursuing a long-held objective, shared by their EU partners, of placing the international investment issue on the agenda of the World Trade Organisation. However, any investment negotiation in the WTO would be a new negotiation, based on a new set of objectives to be established by consensus. The Government will continue to work within the WTO to achieve the maximum degree of openness on this and on other issues, and will keep the British public fully informed of their own actions.

Civil Aircraft and Research Demonstration Budget

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry when he expects to announce the Civil Aircraft and Research Demonstration budget. [69500]

Mr. Battle: Details of the allocations for all DTI budgets, including CARAD, will be announced when the Department publishes its Expenditure Plans Report in March.

Company Closures

Mr. Redwood: To ask the Secretary of State for Trade and Industry when *(a)* Juniper Communications Ltd, *(b)* Juniper Productions Ltd, *(c)* Kaizuka Films Ltd, *(d)* Spring Communication Ltd and *(e)* Attractions Ltd ceased trading. [68793]

Mr. Byers: Records at Companies House show that none of the 5 companies indicated has ceased trading, in the sense of being dissolved. However, 3 of them, Juniper Productions Limited, Kaizuka Films Limited and Spring Communications Limited, are currently dormant.

Cassini Space Probe

Ms Oona King: To ask the Secretary of State for Trade and Industry what assessment he has made of the potential environmental risks of NASA's Cassini Space Probe. [69215]

Mr. Battle: Before launch, NASA have commissioned two independent risk assessments, and scientists of the European Space Agency, of which the UK is a member, independently evaluated the mission. The spacecraft design meets demanding safety criteria set by the United Nations and independent US health and safety organisations.

Vibration White Finger

Mr. Barry Jones: To ask the Secretary of State for Trade and Industry how many people in Wales are claiming compensation for suffering from vibration white finger; and if he will make a statement. [69537]

Mr. Battle: The total number of Vibration White Finger claims received by IRISC, the Department's claim handlers, from people in Wales is 6,286.

I am pleased that the complex negotiations between the DTI, who inherited British Coal's liabilities, and the Plaintiff Solicitors Group, who represent the majority of the claimants, have produced an agreement on the compensation levels for miners suffering from VWF. The agreement announced in the High Court in Manchester on 22 January means an end to uncertainty for the some 31,000 ex-miners who have made claims to date. They can now look forward to receiving fair compensation which will be based upon a claimant's British Coal working history, age and the medical assessment of the level of damage caused by the use of vibrating tools.

Dounreay

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to paragraph 12 of the Safeguards Office Review of The Nuclear Materials Accountancy Aspects of the UKAEA's Dounreay Shaft Inventory report, what were *(a)* the number of man days expended on safeguards by [illegible]atom inspectors and *(b)* the number of facility attachments, material balance areas and particular safeguards provisions applying to Dounreay. [69625]

Mr. Battle: A precise figure for the number of man-days expended by Euratom inspectors at Dounreay is not available because such information is not recorded routinely by the Safeguards Office. However, Euratom safeguards inspector presence at the site is essentially continual.

There are currently eight material balance areas at Dounreay. The particular safeguards provisions for the site are contained in a single document. In the early 1980s, the Prototype Fast Reactor (PFR) fuel cycle at Dounreay was designated for inspection by the International Atomic Energy Agency (IAEA) under the terms of the UK/Euratom/IAEA safeguards agreement, at which time three facility attachments were agreed. No facilities at Dounreay are currently designated for inspection by the IAEA.

Cashmere Export Industry

Mr. Vaz: To ask the Secretary of State for Trade and Industry when he plans to visit Leicester to meet representatives of the cashmere export industry. [69014]

Mr. Wilson: My right hon. Friend the Secretary of State for Trade and Industry has no plans to visit Leicester to meet representatives of the cashmere export industry at present. The Department of Trade and Industry does however understand the industry's concerns over the threatened US tariffs arising from the banana dispute. I can assure my hon. Friend that we are working hard with the European Commission to resolve this dispute, and will be pleased to meet hon. Members who wish to discuss the matter further.

British Aerospace

Mr. Wilkinson: To ask the Secretary of State for Trade and Industry when he met *(a)* the Chairman and *(b)* the Chief Executive of British Aerospace plc during 1998; and what subjects were discussed on each occasion. [68625]

Mr. Byers *[holding answer 1 February 1999]:* I did not meet the Chairman or Chief Executive of British Aerospace plc during 1998.

Art Market

Mr. Heathcoat-Amory: To ask the Secretary of State for Trade and Industry if he expects the draft Directive on artists' resale rights to be decided on at the next meeting of the Internal Market Council. [69277]

Dr. Howells *[holding answer 4 February 1999]:* The draft Directive on artists' resale rights is expected to be on the agenda for the meeting of the Internal Market Council on 25 February. While a large majority of member states, unlike the United Kingdom, support the principle of harmonisation in this area, it is not yet clear whether it will be ready for agreement by then. The Government are continuing to make clear their opposition to this measure, and are working to try to minimise the damage it would do to the competitiveness of the UK's international art market.

Minister for Science

Mr. Redwood: To ask the Secretary of State for Trade and Industry (1) what action has been taken to avoid conflict of interest in respect of the biotechnology responsibilities of the Minister for Science and the Gatsby Trust Foundation; [66696]

(2) what responsibility the Minister for Science has concerning matters which relate to the Gatsby Trust Foundation. [66694]

Mr. Byers *[holding answer 20 January 1999]:* There is no such body as the Gatsby Trust Foundation. However, the Minister for Science established the Gatsby Charitable Foundation and has made substantial charitable donations to it. However, since his appointment as a Minister he has had no involvement in the Foundation's grant-making decisions. Furthermore, Lord Sainsbury wrote to the Trustees on 31 July 1998 asking them not to disclose or divulge to him any information regarding the investments of the Foundation while he is in Government.

Lobby Companies (Ministerial Access)

Mr. Paterson: To ask the Secretary of State for Trade and Industry if he will list the lobby companies and their clients that had access to his predecessor, the right hon. Member for Hartlepool (Mr. Mandelson), in his official capacity at meetings in the Department or at specially arranged meetings between July and December 1998. [67324]

Mr. Byers *[holding answer 27 January 1999]:* I am not aware of any such meetings.

SCOTLAND

Retail Petrol Supplies

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many petrol filling stations closed in Scotland *(a)* in 1997 and *(b)* in the period 1 January to 30 June 1998. [68924]

Mr. Macdonald: Information on petrol filling station closures is not held centrally. The study "Petrol Stations in Rural Scotland", however, found that during the last six months of the study five closures occurred between late summer and late winter 1997. The study also reported that the number of petrol retail outlets across the UK reached a peak in the 1960s, following which there has been a gradual and continuing decline.

Mrs. Ray Michie: To ask the Secretary of State for Scotland what discussions he and his officials have held with the Director General of Fair Trading since 1 January 1998 on the issue of retail petrol supplies in rural areas of Scotland; and what was the outcome of those discussions. [68922]

Mr. Macdonald: Officials at The Scottish Office have regular discussions with officials of the Office of Fair Trading, most recently about the allegations concerning Esso, about which I am writing to the OFT myself. The Office of Fair Trading has a duty to keep markets under review, with a view to identifying anti-competitive or monopolistic behaviour. I understand officials from the OFT are to meet representatives of Highlands and Islands Hydrocarbons Action Group in March, and will also shortly be meeting representatives of Esso.

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many petrol filling stations in the Highlands and Islands enterprise area are supplied respectively by *(a)* Shell, *(b)* BP, *(c)* Esso and *(d)* other suppliers. [68921]

Mr. Macdonald: Information obtained in 1997 for the purposes of the study "Petrol Stations in Rural Scotland" showed that the number of petrol filling stations in the Highlands and Islands Enterprise Area supplied by Shell, BP, Esso and others is as follows:

	Number
Shell	33
BP	90
Esso	74
Other	61
Total	258

Note:
The information obtained related to local authority areas, and therefore includes all petrol stations in Argyll and Bute Council's area, some of which is outwith the area served by HIE.
Source:
Environmental Resources Management and Dr. R. Sidaway (1997) Petrol Stations in Rural Scotland. Commissioned by The Scottish Office Rural Affairs and Natural Heritage Division

From 1 July 1999, assistance to industry will be a matter covered by the Scottish Parliament, but competition and energy policy will continue to be reserved to Westminster.

Mrs. Ray Michie: To ask the Secretary of State for Scotland what assessment he has made of the retail petrol market in the Highlands and Islands enterprise area; and if he will make a statement. [68923]

Mr. Macdonald: Any assessment of competition in the retail petrol market in the Highlands and Islands Enterprise area, or indeed elsewhere, is a matter for the Director General of Fair Trading, but The Scottish Office itself examined aspects of the retail petrol market in the study *Petrol Stations in Rural Scotland*, published in July 1998. As a result, £400,000 a year over the next 3 years has been allocated to carrying out infrastructure work at remote petrol stations. This year, £240,000 of this support is going to the Highlands and Islands Enterprise area. I met with representatives of Esso myself on 3 February to discuss the present situation.

From 1 July 1999, assistance to industry will be a matter for the Scottish Parliament, but competition policy and the activities of the OFT will continue to be reserved to Westminster.

Prisoners (Offences)

Sir Robert Smith: To ask the Secretary of State for Scotland what was the total number of offences by inmates referred to the police by prison governors in each of the last five years; and if he will make a statement. [68546]

Mr. McLeish: Information concerning the number of offences referred to the police by prison governors is not held centrally and could be provided only at disproportionate cost.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Prisons (Drug Use)

Sir Robert Smith: To ask the Secretary of State for Scotland how many cases of reported drug use there were in prison establishments in Scotland *(a)* in each of the last 12 months and *(b)* in each of the last five years for which figures are available; and if he will make a statement. [68544]

Mr. McLeish: Figures on reported drug use in prison establishments in Scotland are available from the mandatory drug testing (MDT) programme. This includes samples taken as part of a random sample (10 per cent. of all prisoners each month); from prisoners suspected of misusing drugs; from prisoners known previously to have used drugs; from prisoners being assessed for specific opportunities, including open conditions and home leaves; and as part of reception testing of those recently admitted to prison.

Interim figures for the financial year April 1998 to March 1999 are available for the period up to and including December 1998, and are shown in the table:

Month/year	*Number tested*	*Number positive*	*Percentage positive*
1998			
April	1,110	328	30
May	1,018	312	31
June	1,066	320	30
July	1,050	322	31
August	1,101	339	31
September	971	270	28
October	1,086	271	25
November	1,064	289	27
December	901	242	27

Final figures for the financial year 1998–99 will be reported in the 1998–99 Scottish Prison Service Annual Report and Accounts. For the last three months of the financial year 1997–98, figures were as follows:

Month/year	*Number tested*	*Number positive*	*Percentage positive*
1998			
January	977	319	33
February	1,027	311	30
March	1,116	333	30

Figures are not available prior to February 1996, the date from which mandatory drug testing was phased in across the Scottish prison estate.

In the last two months of the financial year 1995–96, testing took place in two establishments. A total of 315 urine samples were taken, of which 135 returned positive, a rate of 43 per cent.

In the financial year 1996–97, 4,855 samples were taken from prisoners, of which 1,654 returned positive results, a rate of 36 per cent.

In the financial year 1997–98, 12,093 urine samples were taken from prisoners in the mandatory drug testing programme, of which 3,779 returned positive results, a rate of 31 per cent.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Police (Manpower)

Sir Robert Smith: To ask the Secretary of State for Scotland how many police officers per head of population there were in each police force and in total *(a)* on the last date for which figures are available, *(b)* in May 1998, *(c)* in May 1997 and *(d)* in April 1992. [68548]

Mr. McLeish: The figures, to the nearest available dates, per thousand population are shown in the table.

	30 September 1998	*30 June 1998*	*30 June 1997*	*31 March 1992*
Central	2.58	2.54	2.47	2.36
Dumfries and Galloway	3.02	2.97	2.81	2.60
Fife	2.44	2.44	2.43	2.28
Grampian	2.30	2.30	2.23	2.26
Lothian and Borders	3.01	3.04	3.06	2.96
Northern	2.36	2.33	2.30	2.37
Strathclyde	3.18	3.18	3.21	2.95
Tayside	2.94	2.93	2.84	2.69
Total	2.91	2.91	2.90	2.74

From 1 July 1999, this will be a matter for the Scottish Parliament.

Sir Robert Smith: To ask the Secretary of State for Scotland how many police officers there were in each police force and in total *(a)* on the last date for which figures are available, *(b)* in May 1998, *(c)* in May 1997 and *(d)* in April 1992. [68547]

Mr. McLeish: The figures, to the nearest available date, are shown in the table.

	30 September 1998	*30 June 1998*	*30 June 1997*	*30 March 1992*
Central	710	700	681	645
Dumfries and Galloway	445	437	414	385
Fife	850	849	847	790
Grampian	1,214	1,214	1,180	1,161
Lothian and Borders	2,641	2,668	2,689	2,534
Northern	659	653	643	653
Strathclyde	7,233	7,228	7,302	6,763
Tayside	1,154	1,149	1,116	1,053
Total	14,906	14,898	14,872	13,984

From 1 July 1999, this will be a matter for the Scottish Parliament.

Sir Robert Smith: To ask the Secretary of State for Scotland if he will list those functions carried out by civilian staff in each police force; how many civilian staff were employed in each police force in each of the last three years; and if he will make a statement. [69025]

Mr. McLeish: Civilian support staff in each police force are under the direction and control of the chief constable, who is responsible for the functions they perform. Guidance issued to chief constables in Police Circular No. 9/1996 distinguishes between tasks which do not require police powers and should normally be done only by support staff, and tasks which can be done mainly by support staff but require some contribution from police officers. I have arranged for a copy of this Circular to be placed in the Library of the House.

The numbers of civilian staff requested are shown in the table.

	30 September 1998	*30 September 1997*	*30 September 1996*
Central	187	183	158
Dumfries and Galloway	176	182	127
Fife	247	240	234
Grampian	449	419	379
Lothian and Borders	972	936	936
Northern	272	256	252
Strathclyde	1,910	1,878	1,736
Tayside	372	348	331
Total	4,585	4,442	4,153

From 1 July 1999, this will be a matter for the Scottish Parliament.

Prison Visitors (Drug-related Offences)

Sir Robert Smith: To ask the Secretary of State for Scotland how many visitors to prisons were arrested for drug related offences in each of the last five years; and if he will make a statement. [68543]

Mr. McLeish: All prisons face the risk of prisoners visitors seeking to bring illegal drugs into establishments, and take a variety of measures to prevent it. Appropriate action is taken where there are reasonable grounds for suspicion, and any visitor who is caught is referred to the police. Records are not, however, maintained by the Scottish Prison Service of the number of arrests which arise from such action.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Prisoner Activities

Sir Robert Smith: To ask the Secretary of State for Scotland what was the level of purposeful activity per week undertaken by prisoners, broken down into *(a)* education, *(b)* training, *(c)* work and *(d)* rehabilitation programmes in each of the last five years for which figures are available; and if he will make a statement. [68545]

Mr. McLeish: The information requested is not available centrally in the detail sought. Figures for the number of prisoners engaged in work are recorded and provided in the Scottish Prison Service Annual Report and Accounts. The numbers involved in vocational training are collected separately. The figures are shown in the table:

Year	*Average daily number of convicted prisoners employed*	*Percentage of prisoners employed involved in training*
1993–94	4,146	12.5
1994–95	4,094	12.0
1995–96	3,982	11.3
1996–97	4,001	13.8
1997–98	3,932	10.1

Targets for participation in rehabilitation programmes were first set for the Scottish Prison Service in 1996. In 1996–97, 381 prisoners completed cognitive skills programmes and 67 completed sex offender programmes. In 1997–98, 635 prisoners completed cognitive skills programmes and 91 completed sex offender programmes.

The Scottish Prison Service is developing a computerised management information system for regime activity to support continuous improvement in prisoner programmes and other opportunities. From 1 July 1999, this will be a matter for the Scottish Parliament.

Police Stations

Sir Robert Smith: To ask the Secretary of State for Scotland how many police stations there were, in each police force and in total *(a)* on the last date for which figures are available, *(b)* in May 1998, *(c)* in May 1997 and *(d)* in April 1992. [68549]

Mr. McLeish: The figures requested for 1992 are shown in the table. The number of police stations is no longer collected centrally.

	Number of police stations at 31 December 1992
Central	23
Dumfries and Galloway	25
Fife	56
Grampian	77
Lothian and Borders	60
Northern	92
Strathclyde	199
Tayside	50
Total	591

From 1 July 1999, this will be a matter for the Scottish Parliament.

Speed Cameras

Sir Robert Smith: To ask the Secretary of State for Scotland what is the average *(a)* capital cost and *(b)* annual running cost of a new speed camera. [69021]

Mr. Macdonald: A fixed site camera of the type used on trunk roads in Scotland costs around £52,000, including installation. Police forces administer the operation of these cameras and information on running costs is not held centrally.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Legal Aid

Sir Robert Smith: To ask the Secretary of State for Scotland what was the average annual cost of a legal aid case in each of the last five years; what was the annual change in *(a)* real and *(b)* cash terms; and if he will make a statement. [69022]

Mr. McLeish: The information is set out in the table.

£

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Average case costs					
Criminal	882	958	957	1,000	1,073
Civil	1,011	1,176	1,425	1,583	1,685
Advice and Assistance	87	90	92	97	99
Annual change in cash terms					
Criminal	n/a	+76	−1	+43	+73
Civil	n/a	+165	+249	+158	+102
Advice and Assistance	n/a	+3	+2	+5	+2
Annual change in real terms					
Criminal	n/a	62	−28	13	46
Civil	n/a	149	209	111	59
Advice and Assistance	n/a	1	0	2	0

These figures illustrate that average case costs for the three main categories of legal aid show a rising trend even when inflation is discounted. We are determined to address value for money while maintaining access to justice.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Sir Robert Smith: To ask the Secretary of State for Scotland what was the total expenditure on legal aid in each of the last five years; what was the annual change in expenditure in cash and real terms; and if he will make a statement. [69023]

Mr. McLeish: The information is set out in the table.

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Total expenditure on legal aid cases	124.418	132.052	133.36	143.149	145.065
Change in cash terms	n/a	+7.634	+1.308	+9.789	+1.916
Change in real terms	n/a	+5.774	−2.466	+5.514	−1.761

From 1 July 1999, this will be a matter for the Scottish Parliament.

Sir Robert Smith: To ask the Secretary of State for Scotland what are the current eligibility criteria for receiving legal aid; and if he will make a statement. [69024]

Mr. McLeish: Advice and assistance on matters of Scots law is available without contribution to any applicant in receipt of income support, income-based Job Seeker's Allowance and family credit. It is also available without contribution to any applicant whose disposable income (in respect of the 7 days up to and including the date of application) does not exceed £72 and whose disposable capital does not exceed £1,000. Advice and assistance is also available subject to a contribution to any applicant whose disposable income is between £72 and £172 and whose disposable capital does not exceed £1,000.

Assistance by Way of Representation (ABWOR) is a form of advice and assistance available in criminal proceedings and in certain non-criminal proceedings such as mental health tribunals and failure to obey a court order. Solicitors can provide ABWOR if an applicant satisfies the advice and assistance financial tests.

Civil legal aid is available subject to applicants satisfying the statutory tests of financial eligibility, probable cause and reasonableness. It is available without contribution to any applicant in receipt of income support or income-based Job Seeker's Allowance. It is also available without contribution to applicants whose annual disposable income and capital do not exceed £2,625 and £3,000 respectively. Applicants with an annual disposable income between £2,625 and £8,571 and disposable capital between £3,000 and £8,560 must pay a contribution.

Summary criminal legal aid is granted by the Scottish Legal Aid Board and solemn criminal legal aid is granted by the courts.

No formal means test is applied to an applicant for criminal legal aid. Instead, it must be demonstrated that the accused could not meet the expenses of his defence without causing undue hardship to himself or his dependants. In addition, applicants for summary criminal legal aid must be able to demonstrate that it is in the interests of justice that it be awarded.

We are committed to ensuring access to justice, effective targeting and value for money from the legal aid budget.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Fixed Penalty Speeding Fines

Sir Robert Smith: To ask the Secretary of State for Scotland how much money has been raised by fixed penalty speeding fines; and what was the annual cost of administering them in each of the last three years for which figures are available. [69020]

Mr. McLeish: Information on the amount raised by fixed penalty speeding fines and on the administration costs is not available in the form requested. However, £3.2 million was received by district courts in Scotland in 1997–98 for fixed penalty notices for endorsable traffic offences, which included speeding offences.

From 1 July 1999, this will be a matter for the Scottish Parliament.

National Strategy for Carers

Mr. Russell Brown: To ask the Secretary of State for Scotland what progress has been made with the Government's National Strategy for Carers. [70302]

Mr. Dewar: The Government's National Strategy for Carers is being published today. It describes what the Government have done so far to support carers and how we can improve the quality of life for the many carers in our society by ensuring that the needs are identified and met. It focuses on how carers can be informed, involved and empowered, and how employers can help carers combine paid work with their caring responsibilities. It sets out what carers should be entitled to expect from service providers and how they can be helped by services in the neighbourhood in which they live. The strategy details proposals to support young carers.

The report is the result of a consultative process, involving a large number of Government departments, carers organisations, individual carers, representatives of the National Health Service and local authorities, other voluntary organisations which help to support carers and the business sector.

The National Health Service and local authorities need to provide carers with information about services which can support them in their caring role. They also need to involve carers in the planning and provision of services so that carers' needs are met better than they have been in the past.

Local authorities in Scotland have been allocated over £1 billion for social work this year, of which £5.1 million is specifically to provide respite and assist carers. Authorities will have an additional £51.3 million in 1999–2000 to meet their social work responsibilities and are expected to use some of these resources to improve services to carers; £5 million will be available to local authorities implementing the recommendations of the Action Plan to modernise community care, a key element of which is supporting carers.

The Government will also be consulting on proposals that time spent caring will entitles carers to a second pension (by 2050, up to an extra £50 per week in today's terms).

We intend to trial a new question on carers for the 2001 Census. This should provide better information about the distribution of carers between local authority ares and on the numbers of young carers and those from minority ethnic groups.

Consideration will be given to extending New Deal to help carers return to work and special help for disabled children, technology to help carers and housing and transport.

Legislation reducing council tax for disabled people will be introduced. The Government also intend to introduce legislation in England to allow local authorities to address carers' needs more directly than is possible at present, as the Minister of State, Home Office, my hon. Friend the Member for Brent, South (Mr. Boateng), has announced today. We would hope such legislation will be introduced in Scotland.

From 1 July 1999, this will be a matter for the Scottish Parliament.

It is our intention to continue work to support carers and to monitor implementation of these new initiatives.

Infectious Salmon Anaemia

Mr. David Stewart: To ask the Secretary of State for Scotland if he will assist salmon farmers in the Highlands and Islands to meet the costs of eradicating Infectious Salmon Anaemia; and if he will make a statement. [70303]

Mr. Dewar: Infectious Salmon Anaemia is potentially a very serious disease and the Government remain determined to eradicate this present outbreak in Scotland. That is the best outcome we can achieve, both for the salmon farmers and for wild salmon stocks. The salmon farming industry must recognise its responsibilities to deal effectively with this outbreak.

The Government have put in place various measures to eradicate ISA, and further measures will be announced shortly when an interim report by a joint Scottish Office/Industry Working Group is completed. I welcome the co-operation of the industry.

I recognise that this eradication programme is imposing significant costs on the industry, particularly for farms where ISA is confirmed. The Government continue to take the view that, in principle, it is for the fish farming industry to meet costs arising from measures taken to control the spread of serious fish diseases. Salmon farming, however, provides very valuable employment in the Highlands and Islands, and the continuing uncertainty, which is undermining confidence in the industry and among investors, presents a serious threat to the economic well-being of the region. In these circumstances I have agreed to enable financial aid to be provided through Highlands and Islands Enterprise to the industry. Up to £9 million will be available over 3 years, on a pound for pound matching basis for contributions from industry funds, to help individual farmers meet costs arising under the ISA eradication programme from new outbreaks of ISA. The detailed terms for such assistance will need to be settled. That offer of assistance is subject to approval by the European Commission under the usual state aid rules. No aid will be paid without the Commission's approval.

The assistance will be limited to a period of 3 years, and within that time salmon farmers will need to put in place alternative financial arrangements. We shall keep the eradication programme under regular review.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Legal Services

Mr. Ruffley: To ask the Secretary of State for Scotland if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70035]

Mr. McLeish: No such services were provided.

From 1 July 1999, this will be a matter for the Scottish Parliament.

SOCIAL SECURITY

Child Support Agency

15. **Mr. Vaz:** To ask the Secretary of State for Social Security how many complaints he has received about the CSA since 1 January. [68020]

Angela Eagle: Last month the Child Support Agency received around 2,500 complaints from individuals and hon. Members. My Ministerial colleagues and I have also received 106 letters from hon. Members, over the same period, though not all of these relate to operational issues.

Personal Advisers

18. **Ms Blears:** To ask the Secretary of State for Social Security what training will be provided to personal advisers working for the new deal for the disabled. [68023]

Mr. Bayley: The Personal Adviser Service is currently being piloted in six areas, with a further six planned to start in April. All Personal Advisers in the first six areas are trained to provide advice, guidance and counselling to disabled people to help identify and overcome their barriers to employment.

Savings (Retirement)

20. **Mr. Quinn:** To ask the Secretary of State for Social Security what assessment he has made of the difficulties faced by those on low and modest incomes in providing for their retirement. [68025]

Mr. Timms: Our Green Paper "A new contract for welfare: Partnership in Pensions" recognised the difficulties in saving for retirement faced by those on low and modest incomes.

This is why we are proposing a new State Second Pension which will give more help to those with low earnings (up to £9,000), as well as carers and the long-term disabled with broken work records due to long-term disability.

From April 1999, the new minimum income guarantee will ensure a decent income in retirement for all.

Minimum Income Guarantee

23. **Mr. Goggins:** To ask the Secretary of State for Social Security what action he is taking to ensure that all eligible pensioners claim the minimum income guarantee. [68028]

Mr. Timms: We are planning action to invite claims to the Minimum Income Guarantee at key points when entitlement may arise because a higher amount becomes payable—when a pensioner reaches the age of 75 and 80, or when he or she is awarded Attendance Allowance.

Later in the year, we plan to run a national publicity campaign which will be designed to get the message over to as wide an audience as possible that the Minimum Income Guarantee is an entitlement.

Family Credit

24. **Mr. Pike:** To ask the Secretary of State for Social Security how many families in the north-west at present receive family credit. [68029]

Angela Eagle: The latest information available is for August 1998 when there were 118,900 families in the North West receiving Family Credit.

Notes:

1. Figures are based on a 5 per cent. sample of Family Credit awards and as such are subject to a degree of sampling error.

2. Caseload figures are rounded to the nearest hundred and may not sum due to totals.

Source:

Family Credit 5 per cent. sample of awards.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the number of families who are currently in receipt of *(a)* £0-£4.99, *(b)* £5-£9.99, *(c)* £10-£19.99, *(d)* £20-£29.99, *(e)* £30-£39.99, *(f)* £40-£49.99, and *(g)* £50 or above a week in family credit; and if he will provide corresponding estimates for the proposed working families tax credit. [69493]

Angela Eagle: The information is in the tables.

Number of families receiving Family Credit by range of award, August 1998

Thousand

£ per week	*All families*
All cases	782.5
Under £5	11.7
£5-£9.99	15.7
£10-£19.99	44.0
£20-£29.99	55.1
£30-£39.99	68.3
£40-£49.99	75.5
£50 and over	512.2

Note:

Numbers are rounded to the nearest thousand and may not sum to the total.

Source:

Family Credit 5 per cent. sample of awards

Number of families receiving working families tax credit by range of award, 2000–01

Thousand

£ per week	*All families*
All cases	1,240
Under £5	30
£5-£9.99	50
£10-£19.99	130
£20-£29.99	110
£30-£39.99	80
£40-£49.99	90
£50 and over	750

Notes:

1. Estimates are based on a combination of the Family Credit 5 per cent. sample of awards and the 1995–96 Family Resources Survey. They are consistent with Pre-Budget Report forecasts.

2. Estimates do not include any behavioural changes arising from the introduction of the credit.

3. Estimates have assumed that any future increases in the credits or threshold are exactly offset by an increase in earnings of WFTC recipients.

4. Estimates are rounded to the nearest 5,000.

Housing Benefit

25. **Ms Moran:** To ask the Secretary of State for Social Security what measures he intends to take to reform the administration of housing benefit. [68031]

Angela Eagle: We are taking forward a wide-ranging review of Housing Benefit with the aim of simplifying and improving both the benefit itself and the way in which it is delivered. In the meantime, we have in place several measures to drive forward better delivery of Housing Benefit including the Benefit Fraud Inspectorate's programme of visits to local authorities, improved communications between the Benefits Agency and local authorities through the use of IT, and extra funding and support for local authorities to operate the verification framework.

33. **Mr. Jack:** To ask the Secretary of State for Social Security what steps he is taking to review the operation of housing benefit. [68041]

Angela Eagle: We are taking forward a wide-ranging review of housing benefit in consultation with local authorities and other interested parties. The aim of the review is to simplify and improve both the benefit itself and the way in which it is delivered.

Active Modern Service Programme

26. **Mrs. Gordon:** To ask the Secretary of State for Social Security if he will make a statement on progress on the active modern service programme. [68032]

Angela Eagle: Significant progress has been made within the Active Modern Service Programme. In recent weeks we have selected a private sector partner; Affinity, who will work with us to develop new IT systems. These new systems will enable us to deliver improved Social Security services and deliver our welfare reform programme. Working in partnership with the Department of Education and Employment and Employment Services, we have begun development of a single gateway to the welfare system to help people back to work. Finally, we have started to evaluate the modern service prototypes, piloted in Camden and Lewisham. Both these pilots successfully tested the provision of an integrated service to customers and we are using the lessons learnt to feed into our plans.

Pensions (Disabled People)

27. **Mr. Jim Cunningham:** To ask the Secretary of State for Social Security what plans he has to improve the pensions of long-term disabled people. [68034]

Mr. Timms: Currently, those who are in receipt of certain disability benefits can earn credits towards their basic state retirement pension.

The Pensions Green Paper published in December set out our proposals to extend the new State Second Pension to long term disabled people with broken work records. They will receive flat-rate credits subject to a simple contribution test. This will represent a significant improvement in the financial position of disabled people in retirement.

Poorest Pensioners

28. **Mrs. Ellman:** To ask the Secretary of State for Social Security if he will make a statement on the support available for the poorest pensioners. [68035]

Mr. Timms: From April 1999 we are introducing a £2.5 billion package of measures to help tackle pensioner poverty over the next three years. This package includes a minimum income guarantee, delivered through income support, for the poorest pensioners and an annual payment towards winter fuel costs for all eligible pensioner households.

Lone Parents

29. **Ms Ward:** To ask the Secretary of State for Social Security what measures his Department is taking to assist lone parents to find work. [68037]

Angela Eagle: The Government are committed to providing viable choices for lone parents who, in the past, were written off to a life on benefit.

The New Deal for Lone Parents which was launched nationally on 26 October offers all lone parents on Income Support, for the first time, a personal adviser service to help them overcome the barriers to employment. The programme provides support and advice on training needs, jobsearch, better-off in-work calculations, child care and in-work support for those who need it. Current progress under the programme suggest that our approach is in tune with what lone parents want: the vast majority of lone parents who attend an initial interview decide to participate in the programme.

In addition to this, the Working Families Tax Credit will make work pay and the National Childcare Strategy will also help lone parents move into work: the Childcare Tax Credit under the Working Families Tax Credit will provide more support towards helping parents with child care costs; and a total investment of £470 million in the National Childcare Strategy, including £170 million from the Lottery for new out of school child care—to ensure that good quality affordable child care is available in every neighbourhood.

Pensions Green Paper

30. **Mr. Brazier:** To ask the Secretary of State for Social Security what representations he has received in response to the Government's Green Paper "Partnership in Pensions" (Cm 4179). [68038]

Mr. Timms: Our Pensions Green Paper has attracted a great deal of interest. We have already received a number of written responses and expect to receive many more by the closing date of 31 March.

State Pensions

31. **Sir Sydney Chapman:** To ask the Secretary of State for Social Security what assessment he has made of the impact of the Government's proposed pensions reforms upon marginal savers. [68039]

Mr. Timms: The reforms outlined in "A New Contract for Welfare: Partnership in Pensions" should, through better quality and less expensive second pensions and more state support to reduce reliance on means tested benefits, increase the returns to voluntary saving.

35. **Mr. Dismore:** To ask the Secretary of State for Social Security what measures he is taking to increase financial security for retired people. [68043]

Mr. Timms: The Government's objectives are to provide security for those who cannot provide for themselves and to make it easier for people who can save, to do so. We have announced, in the Pensions Green Paper, that w[illegible]e replacing SERPS with a new State second pension for those on low incomes, or those who are unable to work because of caring responsibilities or disability. We also propose new stakeholder pension schemes, designed to help those on middle and higher incomes make provision for their retirement.

From April, we will introduce a new minimum income guarantee for pensioners of at least £75 a week for single people, and £116.60 for couples. We have announced that, as resources allow, over the long term, our aim is that it should rise in line with earnings so that pensioners can share in the growing prosperity of the nation. Those pensioners who are not able to build up an adequate pension during their working lifetime will be able to receive the minimum income guarantee.

36. **Mr. Gordon Prentice:** To ask the Secretary of State for Social Security what increase in the basic state pension would be required to take it to the level of the EU average. [68044]

Mr. Timms: This information is not available. Because of the diverse nature of state pension schemes in European countries, it is not possible to make meaningful calculations of the sort requested.

Mr. Bob Russell: To ask the Secretary of State for Social Security what plans he has to increase the over-80 age addition to the basic state pension. [68027]

Mr. Timms: We have no plans to increase the 25p age addition.

Mr. Laurence Robertson: To ask the Secretary of State for Social Security if he will estimate the cost of *(a)* increasing the basic state pension to £75 for all single pensioners and *(b)* providing income support to guarantee pensioners an income of at least £75 per week; and if he will make a statement. [69503]

Mr. Timms: I refer my hon. Friend to the written answer my right hon. Friend the then Minister of State, Department of Social Security gave the hon. Member for Newport, West (Mr. Flynn), *Official Report*, columns *624–25*.

The estimated costs to Income Support of guaranteeing eligible pensioners an income of at least £75 per week, as outlined in the Comprehensive Spending Review package of measures for poorer pensioners, is £265 million.

Notes:

1. The estimate is based on increasing all the pensioner premium rates in April 1999 by £3.10 for single pensioners and £4.95 for pensioner couples, over and above uprating in line with prices. The April 1999–2000 rates of the single/couple personal allowance and the corresponding pensioner premium are as follows:

Income Support pensioners in receipt of the Ordinary Pensioner premium, those aged 60–74, singles—£75.00, couples—£116.60.

Income Support pensioners in receipt of the Enhanced Pensioner premium, those aged 75–79, singles—£77.30, couples—£119.85.

Income Support pensioners in receipt of the Higher Pensioner premium, those aged 80+, singles—£82.25, couples—£125.30.

2. The estimate is based on Departmental forecasts and uses the 1995–96 Family Resources Survey. The cost is at 1999–2000 prices and benefit levels, assumes existing levels of take up, and has been rounded to the nearest £5 million.

Child-raising Costs

32. **Mr. Sutcliffe:** To ask the Secretary of State for Social Security what plans he has to assist parents with the costs of raising children. [68040]

Angela Eagle: From next April the largest ever increase in Child Benefit of £2.95 for the first or eldest child will be payable to all families, a similar increase in the family premium will ensure the poorest families see the benefit of the increase. This is in addition to the extra £2.50 a week for children under 11 paid through the income-related benefits from November 1998.

A Green Paper published last year set out our proposals for a new, simpler and more transparent system of child support to ensure that more lone parents receive the maintenance which their children are due.

We also plan to extend the higher rate mobility component of Disability Living Allowance (worth £35.85 a week) to 3 and 4-year-old severely disabled children. This will also provide access for them and their families to the Motability Scheme.

We consider that helping parents to work is the best form of assistance; the Working Families Tax Credit from October 1999 will provide more generous help to low income families.

Departmental Spending

34. **Mr. Ruffley:** To ask the Secretary of State for Social Security what representations he has received regarding the level of his Department's planned total spending for *(a)* 1998–99, *(b)* 1999–2000 and (i) 2000–01; and if he will make a statement. [68042]

Mr. Darling: The Government's spending plans which were announced as part of the Comprehensive Spending Review, have been generally welcomed as desirable, prudent and sensible, concentrating increases in the priority areas. Under these plans, spending on Social Security benefits will grow for this Parliament at less than half the rate of the previous Parliament.

Jobseeker's Allowance

Ms Keeble: To ask the Secretary of State for Social Security what proposals he has to introduce changes to jobseeker's allowance. [68009]

Angela Eagle: A large-scale research programme to evaluate Jobseeker's Allowance is being conducted and will conclude later this year. The findings from that programme will enable us to consider what changes might need to be made. In the meantime, we will consider changes to Jobseeker's Allowance where problems occur or when a reason for amendment is identified.

Mr. Crausby: To ask the Secretary of State for Social Security what representations he has received in respect of the payment of jobseeker's allowance to employees made redundant when their employer goes into receivership. [69000]

Angela Eagle: We have received a number of letters on this matter. Since it came to our attention we have been working to simplify the complex legislation in this area. We are currently considering proposals for changes to the relevant benefit rules.

Carers

Mrs. Humble: To ask the Secretary of State for Social Security what additional support he plans to provide to carers. [68021]

Mr. Bayley: The Government are committed to supporting carers in their valuable role. Many people with caring responsibilities are not able to make adequate provision for their retirement. Those carers who are in receipt of Invalid Care Allowance, Home Responsibilities Protection because they care for someone receiving Attendance Allowance or Disability Living Allowance and those who receive Child Benefit whilst their youngest child is under 5 will receive flat-rate credits to the new State Second Pension, helping to lift them above the Minimum Income Guarantee in retirement.

Means-tested Benefits (Pensioners)

Mr. Webb: To ask the Secretary of State for Social Security if he will update his estimates, based on the Family Resources Survey 1996–97 of receipt of means-tested benefits and liability for income tax among pensioners consistent with his answer of 5 November 1997, *Official Report*, columns *249–50*. [68150]

Angela Eagle: The information is not currently available. Information on liability for income tax is not directly available from the Family Resources Survey. We need to refine the raw data further before we can provide the information. We anticipate that we will be able to do so after February 1999.

Disability Living Allowance (Constituent's Appeal)

Mr. Webb: To ask the Secretary of State for Social Security when Mr. Price of Coalpit Heath, a constituent, can expect the appeal against the withdrawal of his Disability Living Allowance lodged on 27 October 1998 to be heard. [68585]

Mr. Bayley: The administration of claims to Social Security benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Steve Webb, dated 4 February 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking when Mr Price of Coalpit Heath, can expect the appeal against the withdrawal of his Disability Living Allowance (DLA) lodged on 27 October 1998 to be heard.

I should explain that the Agency aims to prepare cases for appeal within 30 days. This has not happened in Mr Price's case and our service, in this instance, has clearly been unsatisfactory. I apologise for this.

Part of the process of preparing an appeal is a re-appraisal of all the evidence, including that submitted in support of the appeal. In Mr Price's case, that evidence included a statement from Mr Price's General Practitioner which you sent to the Disability Benefits Unit on 16 November 1998.

This re-appraisal has now taken place and I can tell you that Mr Price's DLA has been re-awarded at the previous rate from 10 July 1998 for an indefinite period. Mr Price is being advised accordingly.

Clearly, in these circumstances the appeal will not need to go ahead. Should Mr Price want any more information about this, or any other aspect of his DLA award, the operational team leader, Colin Schools, on telephone number 01253 331019, will be pleased to assist.

May I thank you for drawing this to my attention.

Departmental Responsibilities

Mr. Maude: To ask the Secretary of State for Social Security what responsibilities which his Department had prior to the Comprehensive Spending Review are to be *(a)* discontinued by his Department, *(b)* transferred to another department, *(c)* transferred to an executive agency and *(d)* added to his Department over the period 1998–99 to 2001–02. [6[illegible]98]

Mr. Timms: The folllowing changes in responsibilities relate to this Department. They demonstrate our commitment to rationalising functions across Government in order to modernise service delivery and to implement policy as effectively as possible.

The Contributions Agency will transfer from DSS to the Inland Revenue from April this year. Responsibility for policy on National Insurance contributions is also to transfer to the Inland Revenue, but the date for this has not yet been set.

Family Credit and Disability Working Allowance will be replaced from October 1999 by Working Families Tax Credit and Disabled Person's Tax Credit: these will be the responsibility of the Inland Revenue. At the same time the Family Credit Unit will transfer to the Inland Revenue.

From April 1999, DSS funding provision for asylum seekers is being transferred to the Home Office. This is the precursor to new Home Office support arrangements for asylum seekers.

Responsibility for administration of Social Security, child support and vaccine damage payment appeals will be transferred to a new Departmental Executive Agency.

Existing DSS resettlement provision for London is to be combined with provision from other Departments within a new London body in April 1999. It is proposed that the remainder of the DSS resettlement programme be transferred to the programmes of the DETR (principally the Housing Corporation) in England and to the Scottish and Welsh Offices. This is consistent with the Social Exclusion Unit's proposals for a joined-up approach in its report on Rough Sleeping.

The Women's Unit and the Women's National Commission (NDPD) transferred to the Cabinet Office at the end of July 1998.

NIRS2

Mr. Field: To ask the Secretary of State for Social Security how many claimants have been affected adversely by the introduction of NIRS2 computer system; and if he will break down this total by each claimant group. [68820]

Mr. Timms: I refer my right hon. Friend to the Written Answers I gave to the hon. Member for Newbury (Mr. Rendel) on 4 November 1998 *Official Report,* columns *603–06,* and to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on 18 January 1999, *Official Report,* columns *368–69.*

180,000 Retirement Pensioners and 30,000 Widows Benefit recipients are currently in receipt of initial awards or emergency payments. Up to 20,000 Incapacity Benefit recipients may be affected, of whom 8,000 have been referred to Income Support. There are currently 36,000 Jobseeker's Allowance interim payments being made.

In some of these cases, the amounts being paid will be correct, but in many cases they will be less than the amount due. All will be reviewed once the NIRS2 system is fully operational.

Young Homeless

Mr. Letwin: To ask the Secretary of State for Social Security what steps he is taking to assist young, homeless persons. [69599]

Angela Eagle: This Department supports organisations which provide temporary accommodation and an active resettlement programme for single homeless people under Section 30 of the Jobseekers Act 1995. All of the projects receiving Section 30 funding cater for young people aged 18–25, and 35 per cent. cater for 16–17 year olds.

In the current financial year, over £13.2 million is available in revenue funding to enable projects to operate on a break-even basis and over £5 million in capital to build new hostels or to refurbish existing buildings. This supports over 4,200 bed spaces, with nearly 300 more being developed. Provision has increased in recent years, particularly for women, people under the age of 25 and those with specific problems, such as drugs and alcohol.

The Social Exclusion Unit's report on Rough Sleeping recommended that the Department's resettlement provision for London be combined with provision from other Departments within a new London body, from April this year. It is proposed that the remainder of the Department's resettlement programme be transferred to the programmes of the Department of the Environment, Transport and the Regions (principally the Housing Corporation) in England and to the Scottish and Welsh Offices. This better co-ordinated approach is intended to reduce the number of rough sleepers, including young people sleeping rough, by two thirds by 2002.

Income related benefits, including Housing Benefit when accommodation is found, are available to young homeless people, subject to the normal conditions of entitlement.

This Department is represented on the Ministerial Committee on Rough Sleeping, chaired by my hon. Friend the Minister for Housing and Local Government.

Pregnant Women

Mr. Field: To ask the Secretary of State for Social Security if he will list *(a)* the benefit arrangements for pregnant women below 18 years of age, *(b)* the special dietary provisions organised by social services for pregnant women and *(c)* the criteria for eligibility for *(a)* and (b). [69668]

Angela Eagle: The information is in the tables.

Benefits for pregnant women under 18

Benefits	*Qualifying criteria*
Jobseekers Allowance	Certain unemployed young people in prescribed groups, such as those at the end of the Child Benefit Extension Period can get JSA, as can those who can demonstrate that they would suffer severe hardship if JSA was not paid. Young people who are estranged from, or living apart from, their parents for good reasons (including the possibility of abuse) are one of the groups who can get JSA while looking for work or training.
Income support	Those incapable of work by reason of pregnancy, and those within 11 weeks of their expected week of confinement and up to 7 weeks following the date on which the pregnancy ends;
Social fund maternity payments	Awarded to recipients of Income Support, income-based Jobseeker's Allowance, Family Credit or Disability Working Allowance (or, if under 19, be a member of a family where one of these benefits has been awarded) who make the claim within the prescribed time limits
Housing Benefit	Young people who live independently and have a liability to pay a commercial rent are entitled to claim Housing Benefit, irrespective of whether they are pregnant. If entitled they will receive the normal under 25 personal allowance (currently £39.85)
Council Tax Benefit	As there is no liability for Council Tax from anyone under 18, Council Tax Benefit is not paid to this group
Statutory Maternity Pay	*(a)* that she must have been continuously employed by her employer for at least 26 weeks into the 15th week (the qualifying week) before her expected week of childbirth and to have stopped work for that employer; *(b)* that her normal weekly earnings for the period of 8 weeks ending with the qualifying week are not less than the lower earnings limit for the payment of national insurance contributions; *(c)* that she is pregnant and has reached or been confined before reaching the start of the 11th week before the expected week of childbirth.
Maternity Allowance	*(a)* that she is pregnant and has reached, or has been confined before reaching the start of the 11th week before the expected week of childbirth; *(b)* that she has been employed or self-employed for at least 26 weeks in the 66 weeks immediately preceding the expected week of childbirth; *(c)* that she has actual paid employed earners and/or self employed earners national insurance contributions for at least 26 weeks in the 66 weeks immediately preceding the expected week of childbirth; *(d)* that she is not entitled to Statutory Maternity Pay for the same week in respect of the same pregnancy.

Special dietary provision	*Qualifying criteria*
Welfare foods	All pregnant women in families entitled to income support or an income-based jobseeker's allowance are entitled to receive milk tokens which may be exchanged for seven pints (or four litres) of cows' milk per week. Vitamin supplements are also available free of charge

Pensioners (Benefit Take-up)

Mr. Field: To ask the Secretary of State for Social Security if he will list the numbers of pensioners currently receiving *(a)* housing benefit, *(b)* council tax benefit and *(c)* income support. [69817]

Mr. Timms: The information is in the table.

Income support, housing benefit, and council tax benefit pensioner recipients—May 1997

Benefit	*Thousand*
Income Support	1,720
Housing Benefit	1,853
Council Tax Benefit	2,646

Notes:

1. The Housing Benefit and Council Tax Benefit figures have been recently revised and supersede any previously released figures.
2. Figures at May 1997, the latest date for which figures for all three benefits are available.
3. Sample size 5 per cent.
4. Figures have been rounded to the nearest thousand.
5. Pensioners are defined as single people aged 60 or over, or couples where one or both members is aged 60 or over.
6. Information refers to benefit units, which may be a single person or a couple.
7. The information excludes second adult rebate cases.
8. There is an overlap in the figures as many people receive Income Support, Housing Benefit and Council Tax Benefit.

Source:

1. Income Support Statistics Quarterly Enquiry, May 1997.
2. Housing Benefit Management Information System, annual 1 per cent. sample inquiries for recipients with and without Income Support/Jobseeker's Allowance (Income-based), taken at the end of May 1997.

At August 1998, the most recent date for which information on Income Support recipients is available, there were 1,651 thousand pensioners receiving Income Support.

CULTURE, MEDIA AND SPORT

BBC Funding Review Panel

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport if the BBC Funding Review Panel will consider the concession for the blind; and if he will make a statement. [69101]

Janet Anderson: The review panel will consider the concession for blind people together with the other current concessionary arrangements.

Independent Radio Stations

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how many independent radio stations catering principally for the Muslim community operate in the United Kingdom. [69060]

Janet Anderson: There are no full term independent local radio stations catering specifically for the interests of the Muslim faith. However, some independent radio stations which provide services for Asian communities, such as Sunrise Radio in Bradford and Asian Sound Radio in East Lancashire, operate in areas with a high Muslim population, and their service is expected to reflect this. In addition, the Radio Authority issues short term Restricted Service Licences which enable stations to broadcast during special events such as religious festivals. I understand the Authority licensed thirteen such short-term services for the most recent Ramadan festival.

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport what representations he has received concerning the running of independent radio stations in the Greater London area; and if he will make a statement. [69061]

Janet Anderson: From time to time, my right hon. Friend the Secretary of State receives representations about various aspects of the operation of individual radio stations. These include concerns about programme content and management of the licences. Under the provisions of the Broadcasting Acts 1990 and 1996, the Radio Authority is responsible for the award and regulation of all independent radio licences in the UK.

Millennium Dome (Catering)

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport (1) if applicants for contracts for catering facilities at the Dome were interviewed by a panel which included a person who was not employed by the New Millennium Experience Company; [69085]

(2) what tendering procedure was used for the catering facilities in the vicinity of the Dome; [68179]

(3) what steps were taken by the NMEC to ensure that interviews for catering contracts were conducted by the same panel; [68175]

(4) what external legal advice was taken by the NMEC before commencing the tenders procedure for catering contracts. [68174]

(5) if all applicants for catering facilities at the Dome were interviewed by the same panel. [67269]

Janet Anderson: The New Millennium Experience Company (NMEC) adopted a competitive tendering process for procuring a range of catering services. The NMEC had previously sought general advice from Treasury Solicitors about public procurement rules and regulations to satisfy itself that the processes it was implementing to procure goods, works and services across the project reflected the competitive principles of public sector procurement. The interviewing panel comprised three voting and one independent members. The aim of the panel was to bring the bidders to a position where they were all on an equal footing given that the nature and the content of each bid varied. Consequently, therefore, the questions put to each bidder were framed differently depending on the written material provided by them. Of the three voting members, all were present at all interviews. The independent non-voting members varied and included the NMEC's Deputy Operations Director and the Chair of the NMEC Catering Review Group.

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if visitors to the Millennium Dome will be able to purchase food free of Genetically Modified Organisms. [67484]

Janet Anderson *[holding answer 25 January 1999]:* Visitors to the Millennium Experience at Greenwich will be able to purchase a wide variety of foods including food free of Genetically Modified Organisms.

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport (1) what provision there is for *(a)* Chinese food, *(b)* halal food and *(c)* kosher food at the Dome; [68183]

(2) what is his policy on the provision of ethnic food at the Dome. [67268]

Janet Anderson: The New Millennium Experience Company's policy is to provide as wide a range of catering services and food types as possible at the dome recognising the varied tastes which the anticipated 12 million visitors will have. Ethnic cuisine and food meeting some religious needs will be available. Foods from around the world will be showcased in the Global Food Court and elsewhere within the Dome.

Millennium Experience (Catering)

Dr. Ladyman: To ask the Secretary of State for Culture, Media and Sport (1) if he will list the procedures that were followed in respect of advertising, tendering and awarding the concession for supplying ice cream in the Millennium Experience and if similar procedures were used in respect of other concessions; [67668]

(2) to whom the concession for the supply of ice cream in the Millennium Experience has been granted. [67667]

Janet Anderson: The New Millennium Experience Company (NMEC) has made no announcement about the supply of ice cream to the Dome. Since its establishment in 1997 the NMEC has been openly seeking private sector support for the project and, as a result, companies across all sectors of the economy have been free to approach NMEC with proposals. Very many have done so including those in the confectionary/ice cream sector. Where NMEC consider that such approaches hold a serious prospect of achieving commercial support which will not adversely impact on the integrity of the Millennium Experience, discussions are entered into. This was the case with approaches received from confectionary/ice cream suppliers where NMEC considered that their Official Supplier category of sponsorship support might be achievable. Official Supplier sponsorship is a well-established practice across major events and visitor attractions where there is a requirement or opportunities for enhancing commercial income.

Departmental Responsibilities

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what responsibilities which his Department had prior to the Comprehensive Spending Review are to be *(a)* discontinued by his Department, *(b)* transferred to another department, *(c)* transferred to an executive agency and *(d)* added to his Department over the period 1998–99 to 2001–02. [68399]

Mr. Chris Smith: The Comprehensive Spending Review did not result in the discontinuation or transfer of any DCMS responsibilities to other Government Departments or to executive agencies. A number of executive functions which prior to the Review were undertaken by the Department are being transferred to relevant NDPBs. These are:

funding of the Pairing Scheme to the Arts Council of England;

funding of the Sportsmatch scheme to the English Sports Council;

funding for the Heritage Grant Fund and the Architectural Heritage Fund to English Heritage;

funding for the Royal Society of Arts Art for Architecture scheme to the new national body for architecture;

management responsibility for a number of central London statues and for Marble and Wellington Arches to English Heritage;

some executive functions relating to underwater archaeology will be transferred to English Heritage, subject to a legislative opportunity. Administrative responsibility for the Advisory Committee on Historic Wreck Sites will also be transferred out of the DCMS, in discussion with the heritage agencies of the other Home Counties, and the devolved administration once established;

subject to Parliamentary approval, management responsibility for Parliament and Trafalgar Squares will be transferred to the Greater London Authority when it is established;

subject to agreement on the transfer of funding, responsibility for the maintenance of Marlborough House will transfer from the Department of the Environment, Transport and the Regions to DCMS on 1 April 1999;

the Department has agreed to take over responsibility from the Ministry of Defence for that part of the Public Meteorological Service related to basic weather forecasts that are provided for the BBC.

Millennium Dome (Safety)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Health and Safety Executive regarding public safety at the Millennium Exhibition in Greenwich. [64649]

Janet Anderson *[holding answer 11 January 1999]:* The New Millennium Experience Company (NMEC) are in regular discussions with the Health and Safety Executive and other relevant authorities regarding public safety at the Millennium Experience.

Millennium Dome (Trade Unions)

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what plans he has to include a display relating to the history of trade unions in the United Kingdom in the Millennium Dome. [64807]

Janet Anderson: The New Millennium Experience Company (NMEC) has no plans to include a specific display on the history of trade unions in the Dome.

Millennium Dome (Sponsorship)

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what is the total amount of sponsorship raised for the Millennium Dome by IMG. [67485]

Janet Anderson *[holding answer 25 January 1999]:* I refer the hon. Member to the answer given by my right hon. Friend the then Secretary of State for Trade and Industry to the hon. Member for Christchurch (Mr. Chope) on 14 December 1998, *Official Report*, column *363*.

Millennium Dome (Access)

Mr. Berry: To ask the Secretary of State for Culture, Media and Sport what arrangements have been made to ensure that the Millennium Dome is fully accessible for disabled people. [67251]

Janet Anderson *[holding answer 25 January 1999]:* The Access Advisory Group was the first advisory group to be established by the New Millennium Experience Company (NMEC). It held its first meeting in June 1997 and considers accessibility and special needs issues in relation to the Dome. Members are drawn from a range of voluntary sector organisations covering physical, sensory and learning disabilities, mental health issues and the needs of older people. The group is chaired by Mr. David Phillips of Holiday Care Service.

The NMEC aims to provide for the needs of people with disabilities in an exemplary fashion, taking full account of advice from the experts on the Advisory Group. The Group has advised the Company on a wide range of accessibility issues including transportation, parking, the natural and built environment, displays and facilities, on-site information and promotional materials, ticketing arrangements, and disability awareness training.

Parking will be available for Orange Badge holders on a pre-booked basis, close to the Dome entrance. There will be landtrains available; there will be level, ramped or list access to all areas, displays and features; and there will be wheelchairs available for those who require them. Suitable toilets will be available at each of the six service cores in the Dome and elsewhere around the site.

Millennium Dome (Spirit Zone)

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on progress in securing a sponsor for the Spirit Zone of the Dome. [68178]

Janet Anderson: The New Millennium Experience Company (NMEC) are making good progress towards securing support for the Spirit Zone from a number of sources.

New Millennium Experience Company

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport if he will list the membership of the Board of the NMEC and their remuneration. [68180]

Janet Anderson: Details of the New Millennium Experience Company's (NMEC) Board membership are set out in the Company's Annual Report and Financial Statements 1997–98, copies of which are available in the Libraries of the House. Non-executive Board members receive no remuneration. Details of remuneration applicable to the executive Board members (the Chief Executive, the Managing Director and the Finance Director) are in the Annual Report.

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport what has been the cost of legal advice given to the NMEC. [68176]

Janet Anderson: As is normal practice across the public and private sector, the New Millennium Experience Company (NMEC) retains legal advisors and, as necessary, seeks specialist legal advice in order to satisfy itself that its legal duties and obligations are met in all aspects of the Millennium Experience project. As is also normal practice, the company has its own in-house legal team. Details of the contractual arrangements with legal advisors and payments made are commercially confidential.

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport when the contract for legal advice to the NMEC was awarded to Sharpe Pritchard and Co.; and what tendering procedure was used. [68177]

Janet Anderson: The New Millennium Experience Company (NMEC) does not have a contract with Sharpe Pritchard for legal advice. Sharpe Pritchard are contacted as a parliamentary reporting service providing relevant extracts to the NMEC from the *Official Report*.

Millennium Dome (Waste)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what arrangements have been made for the disposal of waste generated by the Millennium Exhibition at Greenwich. [64650]

Janet Anderson *[holding answer 11 January 1999]:* I refer the hon. Member to the reply I gave to the hon. Member for Mid-Norfolk (Mr. Simpson) on 1 February 1999, *Official Report*, column *455*.

Heritage Lottery Fund

Mrs. Virginia Bottomley: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of Lord Rothschild's statement at the time of the publication of the 1996–97 Annual Report of the Heritage Lottery Fund relating to the reduction of lottery funding for purposes related to heritage. [69161]

Mr. Alan Howarth: When the Lottery was launched in 1994, the good causes were expected to receive around £9 billion in total over the first licence period, that is £1.8 billion for each of the five good causes, including heritage. When we raised that forecast to £10 billion, we were able to provide £1 billion for the New Opportunities Fund without affecting the expectations of the original good causes. We now expect the Lottery to raise £10.6 billion for the good causes over the licence period, which ends in September 2001. £200 million of the extra £600 million will be shared equally between the heritage, the arts, sport and charities, with the balance of £400 million going to the New Opportunities Fund. The Heritage Lottery Fund can therefore now count on receiving at least £1.85 billion in total during the present licence.

My right hon. Friend the Secretary of State announced on 3 February that, following the reduction in the percentage income shares to the heritage, the arts, sport and charities from 16⅔ per cent. to 5 per cent. for thirteen weeks from 15 February in order to provide the extra revenue for the New Opportunities Fund, each is guaranteed to receive 16⅔ per cent. for the remainder of the licence period. This is in addition to the undertaking we have already given that these good causes are each gauranteed 16⅔ per cent. of Lottery proceeds after the current licence expires. These guarantees give the Heritage Lottery Fund a clear financial framework within which to plan its future spending and operate the new strategic approach to Lottery distribution we have introduced.

Ministerial Flights

Mr. Maples: To ask the Secretary of State for Culture, Media and Sport which Ministers in his Department made use of *(a)* RAF and *(b)* chartered aircraft between 1 October 1998 and 31 January 1999; and if he will list the dates, destinations and costs of such flights. [69077]

Mr. Chris Smith *[holding answer 4 February 1999]:* Neither I nor any of my Ministers have made use either of an RAF aircraft or of a chartered aircraft.

Holidays

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport how many holidays were taken in the United Kingdom by British residents in *(a)* 1994 and *(b)* 1998. [69392]

Janet Anderson: United Kingdom residents took an estimated 62.8 million holidays in the United Kingdom in 1994, according to the UK Tourism Survey. Short holiday trips, of 1–3 nights, accounted for fractionally over 50 per cent. of all holidays. The latest figures currently available from this annual survey are for 1997. They show an estimated 70.8 million holidays in the UK, 13 per cent. more than in 1994. Short holiday trips accounted for 53 per cent. of all UK holidays in 1997. The number of short holidays taken in the UK increased by 18 per cent. between 1994 and 1997.

Figures for 1998 are expected to be available in late Spring.

FOREIGN AND COMMONWEALTH AFFAIRS

Gibraltar

Mr. Tyrie: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government have taken in the past two weeks to draw to the Spanish Government's attention their obligations under the European Community treaties in respect of the border with Gibraltar; and if he will make a statement. [69700]

Ms Quin: The Ambassador in Madrid has raised this issue on several occasions recently with the Spanish Ministry of Foreign Affairs. We have made it clear to the Spanish authorities that we look to them to allow movement across the border in conformity with EU obligations.

Indonesia

Mr. Letwin: To ask the Secretary of State for Foreign and Commonwealth Affairs what military equipment has been licensed for export by UK companies to Indonesia since 1 May 1997. [69491]

Mr. Fatchett: The Government are soon to publish their Annual Report on Strategic Export Controls. They will list by country of destination the number of export licences issued in each equipment category, and give details of the military equipment for which licences have been granted.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has evaluated on the alleged use against civilians of arms exported from the UK to Indonesia. [69760]

Mr. Fatchett: No formal mechanisms exist at present for systematically monitoring the use of British defence equipment once it has been exported. We will not however issue licences for the export of equipment where we judge there is a clearly identifiable risk that the equipment might be used for internal repression.

Arms Embargoes

Mr. Illsley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the Orders in Council relating to arms embargoes circulated to British embassies and high commissions by his Department between 1979 and 1997. [69922]

Mr. Tony Lloyd: From 1979 to 1997, it was not normal practice to circulate copies of Orders in Council or summaries of them to British Embassies and High Commissions. It was the practice instead to circulate copies of the relevant UN Resolutions. Since July 1998 all FCO Departments and Posts overseas and all Whitehall Departments have been sent details of the scope and provisions of all new sanctions, including arms embargoes.

Burma

Mr. David Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy with regard to the participation of representatives of the Government of Myanmar in European Union-ASEAN discussions. [69483]

Mr. Fatchett: As an ASEAN member, Burma is entitled to be represented at EU/ASEAN bloc-to-bloc meetings. The next meeting, of Foreign Ministers, is due to take place in March in Berlin. The UK believes that the level of Burmese representation should be in keeping with the spirit of the EU Common Position, which reflects the EU's concern about the appalling human rights and political situation in Burma. We continue to make this position clear to our EU Partners.

Arms Control

Mr. David Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs what position was taken by the United Kingdom representatives at the General Affairs Council on 25 and 26 January on proposals tabled by the German Government on arms control. [69482]

Mr. Tony Lloyd: As there was no prospect of consensus on the Presidency's proposal concerning the Code of Conduct on Arms Exports, the UK did not intervene. Our position is that this issue should be considered during the annual review of the operation of the Code, which is due to take place towards the end of the German Presidency, in the light of experience.

Georgia

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to mark the accession of Georgia to full membership of the Council of Europe. [69260]

Mr. Tony Lloyd: Georgia has yet formally to accede to the Council of Europe (CoE).

The CoE Committee of Ministers is to consider the recommendation of the CoE Parliamentary Assembly that Georgia be invited to become a full member of the organisation, but with the requirement that Georgia meets certain specified commitments with stipulated timescales.

We shall support a decision endorsing the Assembly's recommendations.

Pakistan

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the actions of the Pakistan Government to limit the press freedom of the Daily Jang newspaper. [69894]

Mr. Fatchett: We are following developments in this case. I expect to raise the issue with the Minister of Information when I visit Pakistan on 8–10 February.

Angola

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to work through the UN to ensure that Dr Jonas Savimbi is prosecuted for crimes against humanity. [69386]

Mr. Tony Lloyd: The major responsibility for the break down of the peace process lies with Jonas Savimbi, but military action is not going to result in an acceptable resolution of the present crisis. The only way forward is for both the warring parties to return to the negotiating table. I would not wish to take any measures which might undermine prospects for a negotiated settlement.

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement in respect of the Government's policy towards UNITA. [69385]

Mr. Tony Lloyd: Our policy is to urge UNITA to fulfil its obligations under the Lusaka Protocol. It is their failure to do so which has led to the breakdown in the peace process and for which Mr. Savimbi must bear the main responsibility. But military action is not going to result in an acceptable solution of the present crisis. The only way forward is for both warring parties to return to the negotiating table. UN sanctions against UNITA were designed to encourage UNITA to fulfil its peace process obligations. The Government enforce all UN sanctions.

UN 661 Sanctions Committee

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the published minutes of the United Nations Security Council Resolution 661 Sanctions Committee. [69398]

Mr. Tony Lloyd: The Security Council Committee established by resolution 661(1990) concerning the situation between Iraq and Kuwait does not publish minutes of its meetings. It does however produce an annual report.

I have arranged for copies of the latest of these reports to be placed in the Libraries of the House.

Arms Exports

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the factors underlying the delay in publishing the first annual report on arms exports. [69399]

Mr. Tony Lloyd: We regret the delay in publishing the first annual report on the UK's strategic export controls, and will publish the report as soon as possible.

Putting the report together has involved the careful checking and compilation of a vast amount of data. This process has been particularly time-consuming because the databases of the departments concerned which were in place during the period covered by the annual report were not designed to produce the necessary information. In addition, it became clear at a late stage of the process that there were significant inaccuracies in HM Customs and Excise data relating to the value of arms exports to individual countries, and this has had to be re-checked.

Private Military Companies

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to introduce regulation of private military companies in the United Kingdom. [69394]

Mr. Tony Lloyd: The Government are still examining this issue. No final decision has yet been taken.

EU Funds

Mrs. Virginia Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the amounts paid by the EU to *(a)* Republic of Ireland, *(b)* Spain, *(c)* Portugal and *(d)* Greece in 1997–98. [69164]

Ms Quin: The EC budget year is the calendar year. According to the European Commission's report "Financing of the European Union" COM(98) 560, deposited in the House Library on 26 October 1998 (Batch list 121), expenditures from the EC budget on these Member States in 1997 were:

(a) Republic of Ireland: £6,071 million (8,605.8 mecu)

(b) Spain: £7,974 million (11,303.6 mecu)

(c) Portugal: £2,680 million (3,799.6 mecu)

(d) Greece: £3,915 million (5,550.2 mecu).

Ministerial Visits (Central Europe)

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received from United Kingdom embassies about the numbers and occasions of visits by ministers from other EU states who are comparable in rank to the Secretary of State for Trade and Industry to *(a)* Poland, *(b)* Hungary, *(c)* the Czech Republic, *(d)* Slovenia and *(e)* Estonia, since each of these countries submitted their formal applications for membership of the EU. [67060]

Ms Quin: *[holding answer 26 January 1999]:* British Embassies in Central Europe keep the FCO regularly informed of significant events in their host countries. However we do not keep detailed records of all visits by trade and other Ministers from EU countries to Central Europe. To provide a full answer to the question would necessitate disproportionate cost. I am listing details of those visits for which we do hold records.

The FCO and the DTI recognise the importance of the trade relationship with EU applicant states in Central Europe. Poland, the Czech Republic and Hungary are priority markets under the joint DTI/FCO Export Forum Initiative. The DTI and FCO collaborate in export and investment promotion activities in all of these countries, including ministerial contact.

Poland—Visits by other EU member state trade ministers (since 5 April 1994)

M. Dondoux, French Minister of Trade, March 1998

Hungary—Visits by other EU member state trade ministers (since 31 March 1994)

No records

Czech Republic—Visits by other EU member state trade ministers (since 17 January 1996)

No records

Slovenia—Visits by other EU member state trade ministers (since 10 June 1996)

Ms Anneke van Dok van Weele, Netherlands Minister of Foreign Trade, September 1996

Mr. Bjoern von Sydow, Swedish Trade Minister, September 1996

Mr. Johan Ole Norrback, Finnish Minister for European Affairs and Foreign Trade, October 1997

Mr. Piero Fassino, Italian Minister of Foreign Trade, January 1999

Estonia—Visits by other EU member state trade ministers (since 24 November 1995)

Mr. Anders Sundstrom, Swedish Minister of Industry and Commerce, May 1997

Mr. Leif Pagrotsky, Swedish Minister for Trade, October 1997

Mr. Antti Kalljomaki, Finnish Minister for Trade and Industry, December 1997

Mr. Leif Pagrotsky, Swedish Minister for Trade, May 1998.

Swathi Pankhania

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations he has received concerning the case of Swathi Pankhania, born on 18 March 1973, currently being dealt with in Bombay; [67234]

(2) pursuant to his answer of 25 January 1999, *Official Report*, column *147*, concerning Swathi Pankhania of Leicester, Ref S787788, when the decision will be made in this case. [69314]

Mr. Fatchett: The position on this case was set out in a letter dated 25 January 1999 from the Migration and Visa Correspondence Unit to my hon. Friend. We expect medical formalities to be completed around the middle of February.

Kyoto Protocol

Mr. Gummer: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to encourage the United States to ratify the Kyoto Protocol on climate change. [67967]

Mr. Prescott: I have been asked to reply.

It is important that all countries who agreed the Kyoto Protocol on climate change sign and ratify it, but it is particularly important that the US, as the world's largest emitter, should do so. Under the chairmanship of the UK, all G8 countries agreed last spring to sign the Protocol within a year; and the US did so during the Buenos Aires Climate Change Conference in November. The UK continues to play a significant role in international negotiations to finalise the rules on how the Protocol will operate, with the aim of promoting early ratification by all countries, including the US.

I met Vice-President Al Gore on January 30, and climate change was among the matters discussed.

Ministerial Travel

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what assistance the British Embassy in Bangkok gave in arranging to charter a helicopter for the Chancellor of the Exchequer during his attendance at the ASEM conference in September 1997; and what the cost was of the charter; [68709]

(2) what assistance Diplomatic posts in South Africa gave in arranging a charter flight for the Chancellor of the Exchequer in September 1997 to Bangkok from *(a)* South Africa and *(b)* Madagascar; and what the cost was of the flight. [68708]

Mr. Gordon Brown *[holding answer 1 February 1999]*: I have been asked to reply.

I refer the hon. Gentleman to the answer I am giving today to my hon. Friend the Member for Halton (Mr. Twigg), *Official Report*, column *31*.

HOME DEPARTMENT

Public Safety Radio Communication Project

Mr. Hancock: To ask the Secretary of State for the Home Department what recent advice he has given to local fire authorities concerning participation of the Fire Service in the Public Safety Radio Communication Project. [69007]

Mr. George Howarth: A letter was sent to Chief Fire Officers on 11 January 1999 which advised them on developments in the strategy for replacing fire service main scheme radio systems, including possible take-up of the Public Safety Radio Communications project. The proposals had previously been agreed by the Central Fire Brigades Advisory Council at its meeting on 17 November 1998. I have placed a copy of the letter in the Library.

Female Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department what was the total female prison population by category and in total *(a)* on 1 May 1997 and *(b)* at the latest available date. [69219]

Mr. George Howarth: The information requested is available for the last day of the month and is given for appropriate month ends in the table.

Population of females in prisons in England and Wales on 30 April 1997 and 31 December 1998, by type of custody

Type of custody	*30 April 1997*	*31 December 1998*
Untried	387	444
Convicted unsentenced	205	237
Sentenced:		
Young offenders	249	310
Adults	1,734	2,051
Fine defaulters	9	3
Non-criminal prisoners	26	21
Total	2,610	3,066

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list his current planning projections of the future female prison population. [69174]

Mr. George Howarth: The information requested is available in Home Office Statistical Bulletin 1/99 "Projections of long-term trends in the prison population to 2006" published on 20 January 1999. The Bulletin details three alternative scenarios which project a total female prison population by 2006 of:

a) 3,900 (if custody rates increase by 1 per cent. and sentence lengths increase annually by 2 per cent.)

b) 3,600 (if custody rates increase by 1 per cent. but sentence lengths remain at 1998 levels)

c) 3,100 (if custody rates and sentence lengths remain at 1998 levels).

These projections take into account the effect of Home Detention Curfew which came into effect on 28 January 1999. A copy of the bulletin which shows in table 1 the projected female prison population under each scenario by year is available in the Library and on the Home Office Web Site http://www.homeoffice.gov.uk/rds/index.htm.

Mr. Clappison: To ask the Secretary of State for the Home Department how many women were sentenced to imprisonment for offences involving possession, supply or trafficking of controlled drugs in each of the last 10 years for which figures are available. [69176]

Mr. George Howarth: The information is given in the table.

Receptions of sentenced females into prisons in England and Wales by principal drugs offence, 1992–1998

Offence	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*[1]
Unlawful supply	63	70	72	136	144	186	227
Possession with intent	42	55	61	83	142	223	276
Possession	41	38	40	54	95	120	103
Unlawful import/export	128	132	112	122	187	210	216
Other drug offences	2	3	2	9	7	11	12
Total	276	298	287	404	575	750	834

[1] Provisional figures.

Mr. Clappison: To ask the Secretary of State for the Home Department how many women were held in prison in each member state of the European Union *(a)* in absolute terms and *(b)* in proportion to the size of their population for each of the last 10 years for which figures are available. [69177]

Mr. George Howarth: The available information is given in the table. It should be noted, however, that comparisons between penal statistics from different countries may be misleading due to differences in criminal justice systems, the types of sanctions available to the judicial authorities and the length of prison sentences imposed by the courts and served by offenders.

Female prison population[1] within the European Union, by member state, 1992 to 1997

	Number of female						*rate per 100,000 general female*					
	1992	*1993*	*1994*	*1995*	*1996*	*1997*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
England and Wales[2,3]	1,577	1,561	1,811	1,979	2,262	2,675	6	6	7	7	9	10
Northern Ireland	47	36	42	30	32	30	6	4	5	4	4	4
Scotland[2]	158	171	177	175	189	184	6	6	7	7	7	7
Austria[4]	338	341	335	345	367	413	8	8	8	8	9	10
Belgium[3]	404	348	385	382	378	360	8	7	7	7	7	7
Denmark	179	178	171	219	191	160	7	7	6	8	7	6
Finland[5]	102	111	112	127	141	134	4	4	4	5	5	5
France[6]	2,081	2,100	2,183	2,256	2,165	2,166	7	7	7	8	7	7
Germany	—	2,803	2,712	2,698	2,768	3,212	—	7	6	6	7	8
Greece	282	300	327	—	187	209	5	6	6	—	4	4
Ireland (Eire)	30	34	36	36	48	13	2	2	2	2	3	1
Italy	2,508	2,775	2,347	2,172	2,098	2,034	9	9	8	7	7	7
Luxembourg	22	16	19	29	26	—	11	8	9	14	12	—
Netherlands[7]	322	339	391	—	424	491	4	4	5	—	5	6
Portugal	659	795	840	—	1,281	1,470	13	16	16	—	25	29
Spain[8]	3,200	4,300	3,997	3,865	—	4,002	16	22	20	19	—	20
Sweden	199	234	290	330	321	297	5	5	7	7	7	7

[1] At 1 September

[2] Average population

[3] Includes prisoners held in police cells

[4] At 31 August

[5] At 1 January

[6] Metropolitan and overseas departments

[7] At 30 September

[8] At 31 December

Source:

Calculated from data in the Council of Europe S. PACE using population estimates supplied by the ONS.

Mr. Flynn: To ask the Secretary of State for the Home Department what was the population of female prisoners in each of the past 10 years; and what estimate he has made of the figures for each of the next five years. [69262]

Mr. George Howarth: Information on the average female prison population (up to 1997) is published in "Prison Statistics England and Wales" (table 1.4 of the 1997 edition), a copy of which is in the Library. Information on the projected female prison population by alternative scenarios is given in table 1 of Home Office Statistical Bulletin 1/99 "Projections of long term trends in the prison population to 2006" published on 20 January 1999, a copy of which is in the Library and on the Home Office Web Site http://www.homeoffice.gov.uk/rds/index.htm.

Information on the average female prison population in England and Wales is given in the table. The figures are for the central scenario—higher and lower scenarios are possible.

Average population of females in prisons in England and Wales, 1989–1998 (actual) and 1999–2004 (projected)

Year	*Average population (Actual)*	*Year*	*Average population (Projected)*
1989	1,767	1999	3,200
1990	1,597	2000	3,400
1991	1,561	2001	3,500
1992	1,577	2002	3,500
1993	1,561	2003	3,500
1994	1,811	2004	3,500
1995	1,979	—	—
1996	2,262	—	—
1997	2,675	—	—
1998	3,105	—	—

Animals Act 1911

Mr. Swayne: To ask the Secretary of State for the Home Department if he will introduce legislation amending the Animals Act 1911 to make it an offence to keep an animal in a situation where it was likely to be caused suffering. [69387]

Mr. George Howarth: The law places the responsibility for taking care of animals on their owners or keepers, who may not cause them harm, intentionally or through neglect. Under the Protection of Animals Act 1911, it is an offence to cause any unnecessary suffering to any domestic or captive animal.

Since the mistreatment of animals can take many forms, the 1911 Act has been widely drawn to apply to any situation of unnecessary suffering. There are no plans at present to amend the 1911 Act to make it an offence of being likely to cause unnecessary suffering.

Prisons (Illegal Drugs)

Mr. Hoyle: To ask the Secretary of State for the Home Department if he will make a statement on the Government's policy on reducing the supply of illegal drugs in prisons. [69179]

Mr. George Howarth: The Government are committed to the reduction of illegal drug use in prison. Our strategy is set out in "Tackling Drugs in Prison", which we launched in May 1998. Following the Comprehensive Spending Review, the Prison Service will receive an extra £76 million over the next three financial years for its implementation.

Mr. Beith: To ask the Secretary of State for the Home Department how many visitors to prisons were found to be in possession of illegal drugs in each of the last three years for which figures are available; how many were referred to the police; what action was taken in respect of those not referred to the police; and if he will make a statement. [68958]

Mr. George Howarth: All visitors to prisons who are found in possession of illegal drugs are referred to the police.

In the last three years, the numbers of visitors arrested in connection with possible drug related offences are:

1996: 1,312

1997: 1,176

1998: 1,086.

The Prison Service does not record what action was subsequently taken by the police.

My right hon. Friend the Home Secretary announced on Monday 25 January, *Official Report*, column *80*, that he is to provide Governors with a new power to ban visitors for a specified time if they are caught bringing drugs into United Kingdom prisons.

Racist Attacks (Greater Manchester)

Ms Kelly: To ask the Secretary of State for the Home Department what are the most recent figures for recorded racist attacks in Greater Manchester; and what measures he proposes to deal with this kind of crime. [69173]

Mr. Boateng: There were 624 recorded racial incidents in Greater Manchester in 1997–98. These are incidents recorded under the Association of Chief Police Officers' definition of a racial incident.

> "Any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation; or any incident which includes an allegation of racial motivation made by any person".

Incidents included here are wider than the normal definition of a crime in the crime statistics and include low level harassment.

A breakdown of the number of incidents recorded by the police in each police area in 1997–98 is given in the Home Office publication "Statistics on Race and the Criminal Justice System" 1998, a copy of which is available in the Library.

The Crime and Disorder Act 1998 introduced new statutory offences for racial crime which came into force on 30 September 1998. These correspond to the existing main offences which deal with violence against the person (except those which carry a maximum sentence of life imprisonment), criminal damage and offences of harassment. They include a test that there was either racial motivation or any aggravating evidence or racial hostility in connection with the offence and provide the courts with higher maximum penalties to reflect the racial aspect to the crime.

The introduction of specific racial offences will send out a strong message to society that such crime is unacceptable and will be dealt with very seriously by the courts.

Social Exclusion

Mr. Plaskitt: To ask the Secretary of State for the Home Department what assessment he has made of the role of the voluntary sector in addressing social exclusion. [69160]

Mr. Boateng: The Government regard partnership with voluntary and community organisations as crucial in combating social exclusion. Many such organisations have unique experience and knowledge of areas of need and opportunity. The voluntary sector is represented on the membership of seventeen of the eighteen Policy Action Teams set up following the Social Exclusion Unit report, "Bringing Britain Together".

Trans-sexual Prisoners

Mr. Vaz: To ask the Secretary of State for the Home Department (1) what is the planned timetable for the drawing up of guidelines and consultation on the treatment of transsexual prisoners; what consultation is planned with non-convicted transsexual persons; who is to be responsible for drawing up of the guidelines; and if the guidelines will cover prisoners on remand; [69230]

(2) what guidelines are provided to prison service clinicians in respect of the treatment of transsexual prisoners. [69231]

Mr. George Howarth: The Prison Service's Directorate of Health care is currently drawing up guidelines for the care, management and treatment of prisoners with gender dysphoria. The Directorate expects to begin consultation on a second draft of these guidelines shortly and will set a timetable for their completion and issue in the light of the outcome. The Parliamentary Forum on Transsexualism and the Gender and Sexuality Alliance, both of which have previously contributed to the development of these guidelines, will be amongst those invited to comment on the second draft. The guidelines, which will refer to both convicted and unconvicted prisoners, will supersede the current arrangements whereby prison staff seek advice from the Directorate of Health Care as required.

Swathi Pankhania

Mr. Vaz: To ask the Secretary of State for the Home Department when he plans to reply to the letters from the hon. Member for Leicester, East dated 7 December 1998 and 25 January 1999, concerning Swathi Pankhania of Rushey Mead, Leicester (Home Office ref. S787788). [69229]

Mr. Mike O'Brien: A reply will be sent to my hon. Friend shortly.

Electronic Warfare

Mrs. Lait: To ask the Secretary of State for the Home Department which Cabinet Committees are currently responsible for considering information warfare issues; and if that will change following his answer of 25 January 1999, *Official Report*, column *75*. [68315]

Mr. Straw: As I said in my answer of 25 January 1999, I will be taking lead responsibility for the new work on protection against electronic attack and will consult my Ministerial colleagues as required. There are no immediate plans to change the Terms of Reference of any Cabinet Committee.

Asylum Seekers

Dr. Cable: To ask the Secretary of State for the Home Department what estimate he has made of the costs *(a)* to central Government and *(b)* to local authorities in (i) 1998–99 and (ii) 1999–2000, under interim funding arrangements for asylum seekers, in respect of (1) single adults, (2) families and (3) unaccompanied children. [68578]

Mr. Mike O'Brien: Asylum seekers who claim asylum at their port of entry may be entitled to income support, housing benefit and council tax benefit. Other asylum seekers may seek support from local authority social services departments. Local authorities are able to reclaim some of their expenditure by way of special grant from central government.

The information is not available in the form requested. But the information which is available was contained in the reply given by my right hon. Friend the Chief Secretary to the Treasury in his reply to the right hon. Member for Horsham (Mr. Maude) on 4 February 1999, *Official Report*, column *726*.

Police Firearms

Mr. Nicholls: To ask the Secretary of State for the Home Department how many machine action weapons, shotguns and other firearms are currently held by United Kingdom police forces; what percentage of police personnel are trained in the use of each category of weapon; what plans are in place to increase the stock of such weapons by category, by *(a)* purchase, *(b)* lease hire or loan and *(c)* other arrangements; and if he will make a statement. [68946]

Mr. Boateng: Information on the number of firearms held by police forces in England and Wales is not held centrally and could be obtained only at disproportionate cost.

The number of firearms held by police forces in Scotland is as follows:

Police force	*Handgun*	*Shotgun*	*Rifle*	*Other*	*Total*
Central Scotland	41	4	9	16	70
Dumfries and Galloway	45	4	13	22	84
Fife	42	4	6	10	62
Grampian	72	13	8	31	124
Lothian and Borders	123	14	14	29	180
Northern	89	15	30	20	154
Strathclyde	256	14	34	54	358
Tayside	87	19	32	21	159
Total	755	87	146	203	1,191

The number of firearms held by the Royal Ulster Constabulary is as follows:

Firearms	*Number*
Pistols/Revolvers	15,016
Machine action weapons	3,457
Shotguns	31
Sniper rifles	44

Arrangements for the purchase and storage of firearms are operational matters for chief officers of police. I understand from the Association of Chief Police Officers that there are no plans for any significant increase in the number of weapons held in England and Wales. Similarly, there are no plans to increase the stocks in Scotland or Northern Ireland.

Based on the most recently available figures, 5.3 per cent. of police officers in England and Wales and 4.63 per cent. of police officers in Scotland are trained in the use of firearms. This reflects the policy of using a small number of highly trained officers for firearms operations. Training reflects the range of weapons officers may need to use in dealing with firearms incidents.

All Royal Ulster Constabulary officers are trained in the use of handguns, and approximately 50 per cent. in the use of semi-automatic firearms. Shotgun and sniper rifle training involves very small numbers of officers.

Deportations

Mr. Vaz: To ask the Secretary of State for the Home Department how many persons *(a)* were deported and *(b)* voluntarily left the UK pending deportation in January. [68795]

Mr. Mike O'Brien: Information on removals and voluntary departures resulting from deportation action is not yet available for January 1999.

Table 5.3 of the Home Office statistical bulletin "Control of Immigration: Statistics, United Kingdom, First Half 1998", a copy of which is in the Library, contains information on the numbers of persons who were removed or departed voluntarily as a result of deportation action in 1995, 1996, 1997 and the first half of 1998.

Mr. Chope: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 February 1999, *Official Report*, columns *546–47*, on deportation orders, in respect of how many deportation orders made in *(a)* 1994, *(b)* 1995 and *(c)* 1996 deportation was not enforced because it was no longer appropriate. [69918]

Mr. Mike O'Brien: Some 160 of the deportation orders made in 1994 have not been enforced on the ground that deportation is no longer appropriate. The figures for 1995 and 1996 are 170 and 140 respectively.

Mr. Chope: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 February 1999, *Official Report*, columns *546–47*, on deportation orders, if he will make it his policy to collect easily accessible information on the number of persons in custody or otherwise detained who are the subject of deportation action; and if he will make a statement. [69919]

Mr. Mike O'Brien: Information is currently collected on people who are detained under Immigration Act powers in prisons and detention centres. This will include people refused entry on arrival at a port and illegal entrants, as well as those who are subject to deportation action. However, those subject to deportation are not identified separately; and the figures do not include people still completing custodial sentences who are subject to deportation action, as the latter are not held under Immigration Act powers.

There is no pressing operational need to collect centrally separate information about the number of people in prison custody or otherwise detained who are subject to deportation action. However, the Immigration Service is currently in discussions with the Prison Service about the collection of data on foreign nationals in prison and will consider the desirability of including details of prisoners subject to deportation when new information systems are introduced.

Mr. Chope: To ask the Secretary of State for the Home Department in what circumstances it is the policy of the Government that people serving prison sentences and who are the subject of deportation action should be released from custody prior to deportation. [69845]

Mr. Mike O'Brien: A prisoner is expected to complete his sentence before being deported.

It is our practice to complete the necessary administrative action associated with deportation before the person concerned has completed his sentence so that deportation can take place on release from custody.

Where it is not possible to do this for legal reasons such as an outstanding appeal, or where the person is not immediately removable for other reasons, consideration is given to whether they should be detained under Immigration Act powers or whether they can be granted temporary release.

In deciding whether or not a particular individual should be detained, we apply the same criteria as are applied in other immigration cases. These criteria were set out in Chapter 12 of the White Paper "Fairer, Faster and Firmer—A Modern Approach to Immigration and Asylum", which was published last year.

Mr. Chope: To ask the Secretary of State for the Home Department if prison governors are informed of which prisoners in their charge are the subject of deportation action. [69846]

Mr. Mike O'Brien: Governors should be aware of those prisoners who have been recommended for deportation by a court. In other cases, the police are required to notify the Immigration and Nationality Directorate where someone has been convicted of an offence of violence against the person, a drugs offence or an immigration offence or any other offence where a custodial sentence of 12 months or more has been imposed. Where it is decided to initiate deportation action in those cases, the Governor is asked to serve the notice informing the prisoner that the Secretary of State intends to deport him. The Governor will also be informed of cases where a deportation order has already been made—on other grounds—against someone who is serving a custodial sentence.

Immigration

Mr. Chope: To ask the Secretary of State for the Home Department, pursuant to his answer of 1 December 1998, *Official Report*, column *131*, on immigration, if he will make it his policy to collect information on the number of cases in which he exercises his discretion to grant leave to remain in the United Kingdom to foreign nationals resident in the United Kingdom on the grounds of compassionate circumstances. [69917]

Mr. Mike O'Brien: No. There is no operational need to collect these data so the public expense of collecting the information could not be justified.

Circuses (Winter Quarters)

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to the answer to the hon. Member for Brigg and Goole (Mr. Cawsey) of 25 January 1999, *Official Report*, column *75*, what plans he has to extend animal welfare legislation to circus animals in winter quarters. [69494]

Mr. George Howarth: Circus animals in winter quarters are protected by the Protection of Animals Act 1911, under which it is a criminal offence to ill-treat or cause any unnecessary suffering to any captive or domestic animal, and by the Performing Animals (Regulation) Act 1925. We are still studying the all party group for animal welfare's report on circus animals.

Police (Millennium Celebrations)

Mr. Austin: To ask the Secretary of State for the Home Department what additional resources he has made available to the Metropolitan Police to ensure public safety and public order and to prevent crime at the time of the Millennium celebrations; and if he will make a statement. [69609]

Mr. Mike O'Brien: The need to make adequate provision for both planned and contingency policing related to the Millennium celebrations in London is being taken fully into account in budget estimates for the

Metropolitan Police, for 1999–2000, which the Receiver for the Metropolitan Police District in consultation with the Commissioner of Police of the Metropolis, is preparing for the Home Secretary's approval.

My right hon. Friend announced, in a reply to my hon. Friend the Member for Salford (Ms Blears) on 2 December 1998, *Official Report*, columns *194–97*, that the Metropolitan Police should continue to receive additional funding in recognition of its distinct national and capital city functions which, in the next financial year, include policing related to Millennium celebrations; that he proposes that a special payment should therefore be made to the Metropolitan Police over and above that available through the principal police grant formula; and that he has set the amount of this special payment at £176 million. My right hon. Friend announced a funding allocation of £1,744 million for the Metropolitan Police for 1999–2000 in a reply to my hon. Friend the Member for Reading, West (Mr. Salter), *Official Report*, columns *618–19*. The final grant allocations for 1999–2000 as set out in the Police Grant Report, including the additional special payment of £176 million for the Metropolitan Police, were approved by the House on 4 February.

Circus Animals

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what rules govern the treatment of circus animals; how he monitors the treatment of such animals; and if he will make a statement. [69499]

Mr. George Howarth: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 4 February 1999, *Official Report*, column *761*.

Home Detention Curfew Orders

Mr. Clappison: To ask the Secretary of State for the Home Department how many prisoners released on home detention curfew on or since 28 January have been returned to custody to date *(a)* as a result of offending and *(b)* for other reasons. [70021]

Mr. George Howarth: As of 7 February, 392 prisoners have been made subject to Home Detention Curfew. Four of these prisoners have had their licences revoked and been recalled to prison. Two of these recalls were as a result of a failure to comply with the curfew conditions. One recall was due to an inability to monitor the prisoner's whereabouts and one was in order to protect the public from serious harm. One of the two prisoners recalled for failing to comply with the curfew condition has been charged with a further offence.

Provisional Police Grants

Mr. Day: To ask the Secretary of State for the Home Department what representations he has received on the provisional police grants announced in December 1998. [69204]

Mr. Boateng: I received 40 written representation on the provisional police grant allocations announced on 2 December 1998. I also met representatives from seven police authorities.

Holloway Prison

Mr. Flynn: To ask the Secretary of State for the Home Department when he expects to publish the results of the inquiry into the events at Holloway Prison on 13 August 1998. [69259]

Mr. George Howarth: An internal Prison Service inquiry into a series of incidents connected to the non-issue of medication to prisoners at Holloway prison has been completed. The Prison Service does not normally publish the findings of internal investigation reports.

The inquiry did, however, recognise some serious shortcomings in the management of medication which have now been addressed. The area manager and the governor are currently instituting a series of changes to ensure the effective delivery of medical services at the prison.

Drugs

Mr. Flynn: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of people who have used *(a)* cannabis, *(b)* cocaine and *(c)* heroin in each of the past 10 years. [69261]

Mr. George Howarth: Figures for the percentage of people in the general population aged 16 to 59 using drugs during the last year, across England and Wales, are available on a reliable basis only from the 1994 and 1996 British Crime Surveys. These figures are given in the table. Equivalent findings from the 1998 British Crime Survey will become available when the report on the drugs component of the Survey is published later ~~this~~ year.

Table: Percentage of respondents aged 16–59 in the 1994 and 1996 British Crime Surveys who used drugs in the last year

Drug	*1994*	*1996*
Cannabis	8	9
Cocaine	—	1
Crack	—	—
Heroin	—	—

Denotes less than 0.5 per cent.

Committee for Infrastructure Protection

Mr. Key: To ask the Secretary of State for the Home Department if he will make a statement on the Committee for Infrastructure Protection; and if he will list its members and terms of reference. [69559]

Mr. George Howarth: I am not aware of the specific committee to which the hon. Member refers. I refer the hon. Member to the reply my right hon. Friend the Home Secretary gave in a reply today to the hon. Member for Beckenham (Mrs. Lait), *Official Report*, column *89*.

Prisons (Passive Drug Dogs)

Mr. Steen: To ask the Secretary of State for the Home Department what is his policy on providing passive drug dogs in prisons; and what is the cost of keeping each dog. [69635]

Mr. George Howarth: The use of passive drug dogs is an important element in the Prison Service's strategy for tackling the supply of illegal drugs into prisons. There are currently 34 passive drug dogs across the service, with around 50 additional dogs planned over the next three years. The annual cost of keeping each dog is approximately £2,087.

Press Complaints Commission

Mr. Wigley: To ask the Secretary of State for the Home Department if he will legislate to place the Press Complaints Commission Code of Practice on a statutory basis; and if he will include a provision banning discrimination to be exhibited in published material relating to a group of people. [68920]

Janet Anderson: I have been asked to reply.

No. The Government prefer effective self regulation overseen by the Press Complaints Commission to any form of statutory regulation.

WALES

Hip Replacements

Mr. Swayne: To ask the Secretary of State for Wales what was the average cost of a hip replacement operation in Wales in the last year for which figures are available. [69217]

Mr. Jon Owen Jones: A figure specifically for the average cost of a hip replacements in Wales is not readily available.

The costing system in Wales groups hip replacement procedures with other similar surgery.

The 1997–98 average cost across all Welsh NHS Trusts for the relevant group was £3,686.

In future this will become the responsibility of the National Assembly.

SSSIs (Damage)

Ann Clwyd: To ask the Secretary of State for Wales what plans he has to introduce measures to reduce the incidence of damage to sites of special scientific interest in Wales. [69393]

Mr. Jon Owen Jones: The consultation paper 'Sites of Special Scientific Interest—Better Protection and Management' set out a number of measures that might improve the protection of SSSIs. Responses to that consultation are being considered.

In future this will become the responsibility of the National Assembly.

Sheepmeat

Mr. Barry Jones: To ask the Secretary of State for Wales what is his assessment of the prospects for sheepmeat production. [69540]

Mr. Jon Owen Jones: I anticipate a marked increase in sheepmeat production following a heavy carry-over of the 1998 lamb crop into the 1999 season coupled with producers retaining ewes which would otherwise have been culled out.

An industry-led Action Plan for the Lamb and Beef sectors will be published shortly, with the support of the Welsh Office and the Welsh Development Agency.

In future this will become the responsibility of the National Assembly.

Cervical Smears

Mr. Barry Jones: To ask the Secretary of State for Wales how many women received cervical smear tests in the last year. [69545]

Mr. Jon Owen Jones: 228,994 women resident in Wales received cervical smear tests during 1997–98, of which 216,673 were in the programme's target age group of 20 to 64 years.

In future this will become the responsibility of the National Assembly.

Beef Farming

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the prospects for beef farming. [69539]

Mr. Jon Owen Jones: The long term future of the beef sector will depend to a large degree on the outcome of the negotiations on the Agenda 2000 proposals. If the current proposals are agreed, they will provide for a significant reduction in beef prices together with an increase in direct payments to producers to compensate for the reduction in prices. This will provide the sector with the opportunity to become more market orientated and may boost consumption. It is clear that reform of the regime is essential in the light of the structural surplus that currently exists in the beef sector. In the continuing negotiations on the Agenda 2000 proposals we will be seeking to ensure that all member states play their part in bringing beef production into line with consumption. I believe that, with planning and re-valuation of their costs structure, Welsh beef producers, where they can utilise their natural advantages such as an abundance of grass, good breeding stock and a wealth of technical expertise at their disposal, should be in a position to succeed.

An industry-led Action Plan for the Lamb and Beef sectors will be published shortly, with the support of the Welsh Office and the Welsh Development Agency.

In future this will become the responsibility of the National Assembly.

Dairy Producers

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he proposes to assist dairy producers in Wales. [69538]

Mr. Jon Owen Jones: The long term future of the dairy sector will depend to a large degree on the outcome of the negotiations on Agenda 2000. The current legal authority for milk quota is due to expire on 31 March 2000. The commission's Agenda 2000 proposals for the reform of the CAP dairy regime include: the extension of the milk quota regime from 2000 until 2006; a 15 per cent. cut in support prices over the first four years of that period; the introduction of direct payments; dairy cow premiums, to compensate producers for the price cuts; and an overall increase of 2 per cent. in the amount of quota at Community level.

An industry-led Action Plan for the dairy sector will be published shortly, with the support of the Welsh Office and the Welsh Development Agency.

In future this will become the responsibility of the National Assembly.

Meet the People Meetings

Mr. Flynn: To ask the Secretary of State for Wales what was the cost of each of his Meet the People meetings; and how many *(a)* civil servants and *(b)* members of the public attended each meetings. [69268]

Mr. Michael: The information about the number of members of the public attending meetings under my Meet the People initiative is set out in the table. These meetings give the public the opportunity to speak directly to me about the work of my Department and about devolution issues. They have shown that people in various parts of Wales are interested enough to turn out on wet winter evenings to ask their questions. It has been clear from the questions and the discussion that those attending include people with interests in the business sector, local government, trade unions and voluntary organisations as well as members of the general public.

I have been accompanied by my private secretary and, with the exception of the public meeting in Newport, which was the first in the series of meetings, one official has attended to make the necessary arrangements. A press officer has attended 6 meetings.

The support provided by my Department is given as part of its normal duties and has been met from within existing resources. The only additional cost incurred by my Department up to and including 4 February, which covers the first 13 meetings, is £490. This relates almost exclusively to the provision of facilities, principally translation facilities, for the public meetings in Wrexham and Llandudno.

The meetings have provided an excellent opportunity to discuss both all-Wales issues and matters of local concern. Even the smallest meetings have been positive and lively, with individuals raising a series of issues. I have found them both challenging and rewarding.

Unitary authority area	*Location*	*Members of the public*[1]	*Date and time of event*
Newport	Newport	35	Friday 4 December 6 p.m.
Swansea	Swansea	50	Thursday 10 December 6 p.m.
Neath Port Talbot	Neath	100	Thursday 10 December 7.30 p.m.
Torfaen	Croesyceiliog	110	Friday 11 December 3.30 p.m.
Vale of Glamorgan	Barry	5	Saturday 12 December 10.30 a.m.
Wrexham	Wrexham	25	Thursday 17 December 7.30 p.m.
Flintshire	Mold	14	Friday 18 December 6.30 p.m.
Rhondda Cynon Taff	Pontypridd	40	Monday 18 January 7 p.m.
Pembrokeshire	Haverford west	90	Thursday 21 January 7 p.m.
Blaenau Gwent	Ebbw Vale	55	Friday 22 January 7 p.m.
Merthyr Tydfil	Merthyr Tydfil	20	Thursday 28 January 7 p.m.
Caerphilly	Pontllanfraith	55	Monday 1 February 6 p.m.
Conwy	Llandudno	80	Thursday 4 February 7 p.m.

[1] Approximate figures

Pendy Plastics

Mr. Barry Jones: To ask the Secretary of State for Wales what steps he plans to take to assist the employees of Pendy Plastics (Mainetti) of Deeside Industrial Park who are to be made redundant; and if he will make a statement. [69612]

Mr. Hain: As always when redundancies are announced my Department and its agencies are available to assist, where possible, those that will be affected by redundancy.

A meeting has been arranged for Tuesday 9 February with the company's Personnel Department. This will include representatives from the WDA, Flintshire County Council and the Employment Service who will be the initial contact point for those made redundant. CELTIC will also give advice and guidance as necessary and have asked the Employment Service to ensure that all those persons made redundant are registered for training.

The WDA is already in contact with other companies in the area who use similar manufacturing techniques, to ascertain whether they have vacancies requiring those skills, and all effort will be made to match workers to vacancies.

Everything possible is being done to help those affected by redundancy.

In future this will become the responsibility of the National Assembly.

Epilepsy

Mr. Wigley: To ask the Secretary of State for Wales what guidelines are issued by his Department to *(a)* health and *(b)* education authorities in Wales in relation to the provision of services and support needed by people suffering from epilepsy; and if he will make a statement. [69671]

Mr. Jon Owen Jones: On 15 June 1995, the Chief Medical Officer for Wales issued to the NHS in Wales a report on 'Health Care for People with Epilepsy in Wales' (PM(95)). This report made a number of recommendations, gives useful background information and is a resource for staff involved in purchasing and providing care for this group of patients.

In December 1997, a Welsh Office Circular 'Supporting Pupils with Medical Needs' was issued to all Directors of Education in Wales together with an accompanying Good Practice Guide. The Guide contained a section describing the different types of epilepsy, its control and what can be done in the event of a pupil suffering a seizure.

In future this will become the responsibility of the National Assembly.

National Assembly

Mr. Flynn: To ask the Secretary of State for Wales what meetings have taken place in the past three months between his Department's ministers and other Government departments on the powers of the Welsh Assembly; and what the outcome was in each case. [69257]

Mr. Michael: Discussion of how the powers of the Secretary of State for Wales will transfer to the Welsh Assembly and the implications for other Government Departments arises frequently in meetings within Government.

All such discussions provide positive opportunities to prepare the ground for the transfer of powers. As far as the formal process is concerned, on 12 November last year, I published a draft of the Transfer of Functions Order which will determine the powers to be transferred to the National Assembly. Since then there have been a number of meetings at official and Ministerial level as well as comments from outside Government. These all help to inform the final draft Order which I hope will be ready to be laid later this month. I and my officials are also consulted on any Government Bill which makes provision for Wales. Some Bills confer powers directly on the Assembly.

Education Expenditure

Mr. Swayne: To ask the Secretary of State for Wales what is the total expenditure on primary and secondary education in Wales expressed as a proportion of the GDP of Wales; and what was the proportion in May 1997. [68609]

Mr. Hain: Public expenditure on primary and secondary education in Wales including early years and special education, is budgeted to be around £1,124 million in 1997–98 and £1,196 million in 1998–99. Expressed as a proportion of the 1997 GDP for Wales, the latest available, the figures are 4.1 and 4.3 per cent. respectively.

Capital expenditure is not available in the required detail for the period in question and has therefore been excluded.

In future this will become the responsibility of the National Assembly.

Aquaculture

Mr. Wigley: To ask the Secretary of State for Wales if commercial aquaculture ventures are eligible for EU aquaculture development grants in Wales; and what changes to procedures relating to the availability and administration of these grants his Department has introduced for the coming year. [68840]

Mr. Jon Owen Jones: Commercial aquaculture projects in Wales are eligible for EU grants under the Financial Instrument for Fisheries Guidance (FIFG), and the administration of the FIFG scheme will be unchanged for the coming year.

I am currently considering applications for aquaculture grant against the competing priorities under other grant schemes and budgets.

In future this will become the responsibility of the National Assembly.

AGRICULTURE, FISHERIES AND FOOD

Over 30 Months Scheme

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food how many cattle are waiting for slaughter under the over thirty month scheme; and what is the average duration of such waits. [69489]

Mr. Rooker: In most areas of the country farmers are able to arrange for their OTMS animals to be slaughtered within a fortnight of booking with an abattoir or market. Abattoir slaughterings are currently averaging 17,000 animals a week in the UK, which would imply that there are only around 34,000 animals waiting to be slaughtered. An emergency service exists for the expeditious slaughter on-farm of animals which, in the opinion of a veterinary practitioner, require immediate slaughter.

Levy Scheme

Mr. Chope: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 3 February 1999, *Official Report*, column *691*, how many *(a)* charitable, *(b)* voluntary and *(c)* other not-for-profit food outlets are currently subject to licensing. [69996]

Mr. Rooker: Charitable, voluntary or other not-for-profit status is not recorded as part of the registration procedure and so details of the number of premises falling into these categories are not available. There are no licensing requirements specifically for such premises.

Mrs. May: To ask the Minister of Agriculture, Fisheries and Food if the sale of fruit, crisps and other snacks at break times in schools will qualify a school for paying the flat rate levy proposed in support of the Food Standards Agency. [70011]

Mr. Rooker: The requirement to pay the proposed levy would depend on whether the premises concerned was required to register with the local authority under the Food Premises (Registration) Regulations 1991. These regulations make an exemption for premises which are concerned with the supply of beverages, or of biscuits, potato crisps, confectionery or other similar products and which are ancillary to a business (which may include a school) whose principal activity is not the sale of food.

Badger Culling Scheme

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food if the Government's badger culling scheme has measures in place *(a)* to record badger population densities and *(b)* to estimate the proportion of badgers culled. [68606]

Mr. Rooker: There are no validated methods for establishing badger populations from field evidence of badger activity. The Department is currently finalising contracts for research in this area, which will build on data collected during the randomised culling trial. Culling efficiency during the trial is being monitored and will be audited, and the data will subsequently be reviewed in the light of research. However, the trial has been designed to test practical options and has such statistical power that it is not necessary to know precise culling efficiencies.

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food if the Government's badger culling scheme has been audited by external auditors. [68605]

Mr. Rooker: I refer the hon. Member to the reply given to him on 2 February 1999, *Official Report*, column *602*.

Food Standards Agency

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what steps he will take to ensure the presence of scientific experience on the Governing Council of the Food Standards Agency. [68918]

Mr. Rooker: The members of the Agency will be appointed to bring together a reasonable balance of relevant skills and experience. Candidates will be selected for their ability to contribute effectively to that balance and for their personal qualities. We envisage that it will be essential for some members to have relevant scientific experience.

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure that the Food Standards Agency has sufficient funds for scientific research. [68824]

Mr. Rooker: Budgets for food safety and standards research currently funded by the Ministry of Agriculture, Fisheries and Food, and relevant research funded by other Departments, including the Department of Health, will be transferred to the Agency at the outset. It will be for the Agency to decide priorities for expenditure within the overall funds available to it.

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what plans he has to monitor the competence of the inspectorate attached to the Food Standards Agency and the adequacy of its staff resources. [68925]

Mr. Rooker: The Agency will have direct responsibility for meat hygiene inspection through the Meat Hygiene Service (which will be a separate executive arm of the proposed Agency), and for dairy hygiene inspections carried out by the Farming and Rural Conservation Agency. Other food hygiene inspections will continue to be the responsibility of local authorities. The draft Food Standards Bill provides powers for the Agency to monitor the performance of enforcement activities, including its own enforcement authorities, and to report on its conclusions. In monitoring enforcement performance, the Agency would be expected to have regard to the adequacy of the relevant staff resources.

Intervention Stocks

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 27 January 1999, *Official Report*, column *304*, on intervention stocks, for what reason the information is not available. [68965]

Mr. Rooker: Member States participating in the EU Surplus Food Scheme are obliged to notify the European Commission of the eligibility criteria which they apply. The UK Government announced last year that the EU Surplus Food Scheme would not be operated in the UK; thus the issue of eligibility criteria does not arise here.

Member States who do participate in the Scheme are obliged to notify the European Commission of the eligibility criteria which they apply. The Commission does not publish this information.

Beef (Compensation)

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food if new entrants into farming will be eligible for the per cow compensation for the beef sector. [69019]

Mr. Rooker: The £120 million aid package announced by my right hon. Friend on 16 November 1998, *Official Report*, columns 624–40, included a £30 million increase in the funding of Hill Livestock Compensatory Allowances (HLCAs) for cattle in 1999, an extension to the Calf Processing Aid Scheme (CPAS) until the end of March 1999, and £48.3 million in agrimonetary compensation to the suckler cow sector.

New entrants to farming will be eligible for HLCA and CPAS payments, as long as they comply with the scheme rules, but not for agrimonetary compensation, since this was the second tranche of compensation for exchange rate revaluations affecting the beef sector during 1997 and had, under EU rules, to be paid on the basis of production in the 12 months prior to the revaluations.

In order to respect the conditions set by the EU—and also to ensure that the money reached affected beef producers promptly—the first tranche of compensation was paid to producers who received Suckler Cow Premium in 1996. Payments under the second tranche also had to be made to beef producers who were affected by 1997 revaluations.

Genetically Modified Organisms

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what data he has collated on the results of the tests which have been carried out in the United Kingdom for detecting the presence of genetically modified organisms in food or food ingredients. [69289]

Mr. Rooker *[holding answer 4 February 1999]:* Enforcement of food labelling regulations, including legislation requiring the labelling of foods and food ingredients which contain genetically modified organisms, is the responsibility of Local Authorities.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will list the methods which are currently used in the United Kingdom for determining the origin, nature and quantity of genetically modified organisms present in food or food ingredients; and what assessment he has made of the effectiveness of these methods. [69288]

Mr. Rooker *[holding answer 4 February 1999]:* There are two types of methods which have been developed for the detection of foods and food ingredients containing genetically modified material; those based on the polymerase chain reaction which can be used to detect novel DNA, and enzyme linked immunosorbent assay (ELISA) methods which can detect novel proteins.

These methods are currently being validated at the European level by the EC Joint Research Centre.

Common Agricultural Policy

Sir Teddy Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will pursue with the European Commission the payment of subsidies to more farm animals in Italy last year than were known to exist; and what will be the financial consequences for the United Kingdom of the overpayment. [69194]

Mr. Rooker *[holding answer 4 February 1999]:* Commission auditors are responsible for checking that member states have paid CAP subsidies according to the rules and the UK fully supports the Commission in this work. Any sums wrongfully paid by member states have to be repaid by them to the EU budget.

Farming (East Sussex)

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the state of the farming industry in East Sussex. [67911]

Mr. Rooker *[holding answer 4 February 1999]:* The farming industry in East Sussex is currently suffering the effects of a depressed market for beef, sheep and pigmeat and has seen farming incomes fall by 35 per cent. in real terms between 1997 and 1998. In a county where over 40 per cent. of agricultural land is permanent grassland, so reflecting the importance of livestock, and where some two thirds of the land comprises the Sussex Downs and the High Weald, areas of outstanding national beauty which rely on current farming practices, this fall in market prices is understandably of concern.

The County benefits from Environmentally Sensitive Area status for the South Downs and farmers can seek financial assistance for work to enhance the environment under Ministry schemes such as the Countryside Stewardship Scheme, the Habitat Scheme, the Farm Woodland Scheme and the Organic Aid Scheme. Payments to the farming industry in East Sussex in 1997 under MAFF schemes totalled around £16.2 million. Figures are not currently available for 1998.

The Government recognise the importance of a sustainable, competitive and profitable industry and an attractive and viable countryside for the future. My noble Friend Lord Donoughue visited East Sussex on 3 February to listen to the views of representatives of farming interests.

EDUCATION AND EMPLOYMENT

Education Standard Spending Assessment

Mr. Chope: To ask the Secretary of State for Education and Employment if he will list in respect of each local education authority in England the underlying increase in the provisional education standard spending assessment in 1999–2000 in cash terms, as a percentage, and as a percentage per pupil. [69844]

Ms Estelle Morris: The table sets out the information requested for the education SSAs for 1999–2000, which were finalised on 1 February. Some 85 per cent. of the total is allocated on the basis of pupil numbers with the remainder allocated on the basis of population and resident pupil numbers. This has two main effects in creating local variations around the national increases. First, the percentage increase for a given local authority will generally be higher than the national increase if its pupil numbers have risen more quickly than the national trend. Second, authorities with above average increases in pupil numbers will tend to see their overall education SSA per pupil rise by less than the national average rate because the 15 per cent. of the SSA which is not based on pupil numbers will not rise in line with the pupil numbers, and this has a consequential effect on the year-on-year change in the overall level of education SSA per pupil.

Final Education SSAs for 1999–2000

LEA	*Education SSA (£ million)*	*Change (£ million)*	*Change (%)*	*SSA per pupil change (%)*
City of London	0.8	0.0	1.7	7.7
Camden	87.4	4.0	4.8	4.7
Greenwich	126.2	6.0	5.0	5.4
Hackney	103.6	5.0	5.0	5.1
Hammersmith and Fulham	63.2	3.4	5.7	4.9
Islington	91.7	4.2	4.7	5.4
Kensington and Chelsea	40.2	2.7	7.1	5.9
Lambeth	111.4	6.9	6.6	5.0
Lewisham	127.5	6.9	5.7	5.1
Southwark	124.2	7.8	6.7	5.4
Tower Hamlets	145.6	8.0	5.9	5.7
Wandsworth	98.2	4.9	5.3	5.0
Westminster	66.8	4.3	6.9	5.4
Barking and Dagenham	84.3	5.2	6.6	4.5
Barnet	135.9	7.4	5.8	4.2
Bexley	105.9	6.0	6.0	4.1
Brent	123.1	5.8	4.9	4.3
Bromley	125.8	7.5	6.3	4.3
Croydon	140.4	8.0	6.1	4.5
Ealing	129.4	7.0	5.7	4.5
Enfield	139.3	8.0	6.1	4.4
Haringey	110.6	7.5	7.2	4.6
Harrow	81.1	3.5	4.5	4.6
Havering	99.0	4.5	4.8	4.3
Hillingdon	107.9	5.6	5.5	4.3
Hounslow	107.1	5.4	5.3	4.7
Kingston upon Thames	53.4	2.7	5.2	4.7
Merton	66.3	3.2	5.1	4.6
Newham	156.6	10.3	7.0	4.3
Redbridge	118.4	8.6	7.9	3.5
Richmond upon Thames	52.5	2.8	5.7	4.2
Sutton	78.8	4.6	6.2	4.2
Waltham Forest	111.1	7.0	6.8	4.1
Birmingham	506.0	23.3	4.8	5.3
Coventry	136.1	6.1	4.7	5.2
Dudley	120.4	6.5	5.7	5.1
Sandwell	136.0	6.4	4.9	5.2
Solihull	88.0	5.5	6.7	4.9
Walsall	124.6	6.8	5.8	5.0
Wolverhampton	111.9	5.7	5.4	5.0
Knowsley	85.2	4.0	5.0	5.3
Liverpool	238.3	9.3	4.1	5.6
St. Helens	76.5	3.0	4.1	4.9
Sefton	122.2	6.1	5.2	4.9
Wirral	148.7	6.8	4.8	4.9
Bolton	117.5	6.0	5.4	5.2
Bury	71.5	3.9	5.8	5.2
Manchester	207.7	9.6	4.9	5.9
Oldham	108.6	5.3	5.1	5.1
Rochdale	96.9	5.1	5.6	5.1
Salford	95.2	4.6	5.1	5.4

Final Education SSAs for 1999–2000

LEA	*Education SSA (£ million)*	*Change (£ million)*	*Change (%)*	*SSA per pupil change (%)*
Stockport	104.4	5.5	5.5	5.4
Tameside	95.6	5.4	6.0	5.3
Trafford	91.1	6.5	7.7	5.7
Wigan	125.3	6.3	5.3	5.2
Barnsley	87.4	4.4	5.3	5.3
Doncaster	136.1	6.2	4.7	5.2
Rotherham	116.1	6.6	6.0	4.8
Sheffield	195.0	11.1	6.0	5.1
Bradford	233.8	9.5	4.2	5.0
Calderdale	88.2	5.0	6.0	4.9
Kirklees	164.3	8.3	5.3	5.0
Leeds	292.4	14.8	5.3	5.2
Wakefield	129.0	6.5	5.3	5.1
Gateshead	78.3	3.4	4.6	5.1
Newcastle upon Tyne	111.0	5.0	4.7	5.0
North Tyneside	77.6	3.4	4.6	5.0
South Tyneside	68.8	3.4	5.1	5.2
Sunderland	129.1	5.7	4.6	5.3
Isles of Scilly	1.2	0.0	0.8	7.9
Cambridgeshire	190.0	11.3	6.3	5.2
Cheshire	263.8	13.8	5.5	4.9
Cornwall	189.8	11.1	6.2	5.1
Cumbria	195.5	10.0	5.4	5.1
Devon	243.8	15.9	7.0	4.1
Essex	524.1	29.2	5.9	4.0
Gloucestershire	214.8	12.7	6.3	5.0
Herefordshire	61.1	4.1	7.3	4.3
Worcestershire	198.2	10.9	5.8	3.9
Hertfordshire	446.5	23.6	5.6	4.1
Kent	553.5	29.7	5.7	4.1
Lancashire	468.5	25.3	5.7	5.0
Lincolnshire	250.7	15.3	6.5	4.8
Norfolk	286.5	17.4	6.5	4.8
Northamptonshire	257.8	14.8	6.1	5.0
Northumberland	129.3	6.3	5.2	4.9
Nottinghamshire	296.0	16.4	5.9	4.7
Oxfordshire	217.4	10.2	4.9	4.2
Shropshire	100.8	5.7	6.0	5.1
Somerset	175.6	10.9	6.6	5.2
Suffolk	250.3	14.1	5.9	4.8
Surrey	358.3	21.1	6.3	4.2
Warwickshire	187.6	10.1	5.7	5.2
West Sussex	269.2	15.5	6.1	3.7
North Yorkshire	219.7	13.6	6.6	4.9
Bedfordshire	161.0	7.4	4.8	4.1
Buckinghamshire	193.6	10.4	5.7	3.7
Derbyshire	272.4	15.6	6.1	4.9
Dorset	135.3	9.2	7.3	4.3
Durham	203.4	9.6	4.9	5.1
East Sussex	174.3	10.1	6.2	4.2
Hampshire	446.8	24.9	5.9	4.2
Leicestershire	228.2	13.6	6.3	4.8
Staffordshire	323.1	18.2	6.0	5.0
Wiltshire	159.1	10.1	6.8	4.5
Isle of Wight	53.2	2.6	5.1	4.0
Bath and North East Somerset	62.3	3.3	5.6	4.8
Bristol	134.2	7.0	5.5	5.4
North Somerset	68.0	3.6	5.6	4.9
South Gloucestershire	93.8	6.3	7.2	5.0
Hartlepool	42.6	2.2	5.4	5.1
Middlesbrough	68.5	3.1	4.8	5.2
Redcar and Cleveland	66.2	2.9	4.6	5.3
Stockton-on-Tees	82.1	4.5	5.8	4.9
Kingston-upon-Hull	114.8	5.2	4.8	5.2
East Riding	121.3	7.4	6.5	5.0
North East Lincolnshire	73.0	3.1	4.5	5.3
North Lincolnshire	65.0	3.2	5.2	5.3
York	60.3	3.5	6.1	5.3
Luton	87.6	4.3	5.2	4.3
Milton Keynes	92.7	4.3	4.9	3.9
Derby	96.8	5.3	5.8	5.0
Poole	50.0	3.2	6.9	3.9
Bournemouth	55.8	3.3	6.3	4.2
Darlington	39.7	2.2	6.0	5.0
Brighton and Hove	82.8	4.9	6.3	4.0
Portsmouth	72.8	4.1	6.0	4.3
Southampton	87.4	5.0	6.1	4.0
Leicester	134.9	5.6	4.3	5.1
Rutland	11.6	0.4	3.8	5.3
Stoke on Trent	99.5	3.9	4.1	5.2
Bracknell Forest	41.6	2.0	5.1	3.9
Windsor and Maidenhead	51.1	2.4	4.8	4.1
West Berkshire	60.9	3.5	6.1	3.8
Reading	48.0	2.7	5.9	4.2
Slough	59.0	3.3	5.9	3.8
Wokingham	58.5	3.0	5.4	3.9
Peterborough	78.9	2.5	3.2	5.0
Halton	59.4	2.5	4.5	5.5
Warrington	78.5	4.6	6.2	4.9
Plymouth	107.7	5.9	5.8	4.0
Torbay	49.9	3.4	7.3	3.9
Southend	68.9	3.9	6.1	3.9
Thurrock	60.5	3.9	6.8	3.8
Medway Towns	118.0	6.0	5.3	4.1
Blackburn	70.7	2.7	4.0	5.5
Blackpool	52.8	3.4	6.9	4.6
Nottingham City	116.7	6.1	5.5	5.1
The Wrekin	66.2	3.9	6.2	5.1
Swindon	73.3	5.7	8.5	4.0
England	20,414.0	1,100.0	5.7	4.7

Notes:

1. The cash and percentage change figures take account of local authority changes of function and new arrangements for funding music and student support services.

2. The education SSA per pupil figures have been derived by dividing the 1999–2000 SSA and the adjusted 1998–99 SSA by the total number of pupils aged 4 and over included in the relevant SSA calculations for that financial year.

3. The answer spells out the main reason why variations in the percentage increase in the SSA are negatively correlated with variations in the percentage increase per pupil figures. But an LEA would also receive an above average increase in overall SSA per pupil if:

(a) other data on population used in the calculations are increasing, relative to the national trend, while pupil numbers are static; or

(b) the growth in pupil numbers is concentrated in the post-16/secondary sectors which attract more SSA credit than younger children because they are more expensive to educate.

Standards Fund

Mrs. May: To ask the Secretary of State for Education and Employment if he will list *(a)* the budget for the Standards Fund for each year between 1998–99 and 2001–2002 and *(b)* the expenditure committed to date under the fund for each of those years. [70012]

Ms Estelle Morris: For 1998–99 the Standards Fund budget and expenditure committed is £625.5m. For 1999–2000 Local Education Authorities have been offered allocations from a Standards Fund budget totalling £843m. The expenditure committed for 1999–2000 will be known once Authorities have responded to those offers and to allocations yet to be made. These figures include grant contributed by the Department and contributions from Local Education Authorities. The Standards Fund programme is reviewed annually and decisions about the budget for 2000–2001 will be made in due course.

Foreign Students

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Employment how many non-UK resident EU students are attending English as a foreign language courses in further education colleges in the United Kingdom. [69634]

Mr. Mudie: The number of non-UK resident EU students attending English as a foreign language courses in further education sector colleges in England in 1996–97 was 6,100.

The numbers of such students studying in other parts of the United Kingdom are a matter for my right hon. Friends the Secretaries of State for Wales, for Scotland and for Northern Ireland respectively.

Ofsted

Mrs. May: To ask the Secretary of State for Education and Employment if he will set out the budget for Ofsted for the next three financial years. [69639]

Ms Estelle Morris: Total provision for Ofsted is as follows:

1999–2000: £96 million

2000–2001: £105 million

2001–2002: £107 million

Education Budgets (Administrative Costs)

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list the administrative costs for each of the last five years, as a percentage of the total budget, for *(a)* the Higher Education Funding Council, *(b)* the Further Education Funding Council and *(c)* training and enterprise councils, expressed as the national average figure, for that proportion of their responsibilities which is comparable with the responsibilities of the FEFC and the HEFC. [67670]

Mr. Mudie *[holding answer 28 January 1999]:* The information that my hon. Friend has requested is listed in the table. The three figures are not comparable because of differences in responsibilities between TECs, the HEFCE and the FEFC. Accordingly, as with HEFCE and FEFC, TEC percentages have been calculated on total administrative costs and budgets. The percentage figure for TECs is much higher than either of the others because TECs are themselves directly involved in local business support and economic development.

Percentage

Year	*HEFCE*	*FEFC*	*TECS*
1993–94	0.37	0.92	12
1994–95	0.35	0.82	11
1995–96	0.33	0.79	12
1996–97	0.37	0.74	12
1997–98	0.29	0.76	13

Grammar Schools (Kent)

Mr. Wyatt: To ask the Secretary of State for Education and Employment if he will list the grammar schools in Kent that OFSTED has identified as not performing adequately; and if he will make a statement. [69481]

Ms Estelle Morris: This is a matter for HM Chief Inspector of Schools and I have asked Chris Woodhead to write to my hon. Friend and place a copy of his letter in the Library.

Pupils (Examinations)

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Education and Employment if he will list for each of the last 10 years for *(a)* England and *(b)* Wales how many pupils (i) left state education without having been entered for any CSE/GCSE or equivalent examination and (ii) were entered for such examinations in (1) one, (2) two, (3) three, (4) four and (5) five or more subjects; and how many such entrants failed to qualify in each subject paper they sat. [69092]

Mr. Mudie: The information requested on GCSE achievements for the last ten years for England is shown in the following table. The figures are based on maintained mainstream schools (excluding special schools) and relate to all 15 year old pupils (at the start of the academic year) whether they left school or not.

The information for schools in Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

GCSE achievements of 15 year old pupils in maintained mainstream schools—England 1989–98

	Number attempting subjects	*Number that failed some subjects*	*Percentage failing to achieve all subjects*
1988–89			
Did not attempt	37,170		
Attempted 1 subject	12,240	3,290	26.9
Attempted 2 subjects	13,460	6,570	48.8
Attempted 3 subjects	14,890	8,160	54.8
Attempted 4 subjects	21,040	11,280	53.6
Attempted 5 or more subjects	471,680	27,370	5.8
1989–90			
Did not attempt	35,930		
Attempted 1 subject	11,150	2,100	18.8
Attempted 2 subjects	12,700	4,070	32.0
Attempted 3 subjects	15,060	6,500	43.5
Attempted 4 subjects	17,530	7,480	42.7
Attempted 5 or more subjects	444,550	19,850	4.5
1990–91			
Did not attempt	31,970		
Attempted 1 subject	8,460	1,770	20.9
Attempted 2 subjects	9,670	3,360	34.7
Attempted 3 subjects	9,750	4,380	44.9
Attempted 4 subjects	14,600	6,510	44.6
Attempted 5 or more subjects	434,450	16,630	3.8
1991–92			
Did not attempt	25,343		
Attempted 1 subject	7,598	3,018	39.7
Attempted 2 subjects	7,393	3,709	50.2
Attempted 3 subjects	8,921	5,047	56.6
Attempted 4 subjects	11,825	6,565	55.5
Attempted 5 or more subjects	426,639	18,818	4.4
1992–93			
Did not attempt	19,973		
Attempted 1 subject	6,453	2,486	38.5
Attempted 2 subjects	6,228	3,242	52.1
Attempted 3 subjects	7,289	4,342	59.6
Attempted 4 subjects	9,514	5,749	60.4
Attempted 5 or more subjects	417,702	18,121	4.3

GCSE achievements of 15 year old pupils in maintained mainstream schools—England—1989–98

	Number attempting subjects	Number that failed some subjects	Percentage failing to achieve all subjects
1993–94			
Did not attempt	20,866		
Attempted 1 subject	5,311	2,606	49.1
Attempted 2 subjects	4,519	3,018	66.8
Attempted 3 subjects	5,394	3,598	66.7
Attempted 4 subjects	7,757	4,961	64.0
Attempted 5 or more subjects	433,079	18,507	4.3
1994–95			
Did not attempt	23,178		
Attempted 1 subject	5,174	2,555	49.4
Attempted 2 subjects	4,082	2,866	70.2
Attempted 3 subjects	5,116	3,576	69.9
Attempted 4 subjects	7,284	4,802	65.9
Attempted 5 or more subjects	473,945	20,430	4.3
1995–96			
Did not attempt	23,050	–	–
Attempted 1 subject	5,678	2,593	45.7
Attempted 2 subjects	4,093	2,769	67.7
Attempted 3 subjects	5,079	3,314	65.2
Attempted 4 subjects	7,383	4,555	61.7
Attempted 5 or more subjects	488,776	18,550	3.8
1996–97			
Did not attempt	22,084		
Attempted 1 subject	5,346	2,609	48.8
Attempted 2 subjects	3,838	2,550	66.4
Attempted 3 subjects	4,652	3,126	67.2
Attempted 4 subjects	6,774	4,300	63.5
Attempted 5 or more subjects	485,409	18,150	3.7
1997–98			
Did not attempt	18,204	–	–
Attempted 1 subjects	5,790	2,641	45.6
Attempted 2 subjects	4,715	2,960	62.8
Attempted 3 subjects	5,393	3,021	56.0
Attempted 4 subjects	7,629	3,826	50.2
Attempted 5 or more subjects	476,157	11,682	2.5

Higher Education

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Education and Employment if he will list for each of the last 10 years for *(a)* England and *(b)* Wales how many students entered higher education; and of these, how many (i) dropped out before completing courses and (ii) failed their final examinations. [69090]

Mr. Mudie: The numbers of students who entered higher education between 1988–89 and 1997–98 are shown in the table.

HE entrants[1] to English and Welsh institutions 1988–89 to 1997–98

Year	*English institutions[2]*	*Welsh institutions[2]*
1988–89	300,300	16,200
1989–90	322,000	18,000
1990–91	348,700	18,900
1991–92	401,800	21,700
1992–93	443,900	25,300
1993–94	470,800	26,100
1994–95	503,900	30,500
1995–96	528,200	33,800
1996–97	530,300	33,700
1997–98	541,500	33,000

[1] Includes enrolments by home and overseas students onto the first year of undergraduate courses, full-time and part time

[2] Excludes the Open University but includes all other higher education and further education institutions

The available information on drop-out consists of UK level full-time and sandwich first degree drop-out rates published in the Departmental Report. The table shows these drop-out rates for the same 10 year period.

UK[1] full-time and sandwich first degree drop-out rates

Percentage

Year	*Drop-out[2]*
1988–89	14
1989–90	16
1990–91	15
1991–92	17
1992–93	17
1993–94	[3]17–18
1994–95	[3]17–18
1995–96	[3]18–19
1996–97	n/a
1997–98	n/a

[1] The institutional coverage of the drop-out rates is restricted to the former UFC universities in the UK and former polytechnics in England.

[2] Drop-out covers all those leaving degree courses because of exam failure, ill health, personal and other reasons. It includes those switching to a lower level course but it excludes students transferring between degree courses or subjects.

[3] Ranges are given because the introduction of a new data source made it difficult to measure drop-out accurately.

Drop-out covers those who leave full-time and sandwich first degree courses for various reasons including exam failure but students who failed their final examinations are not separately identified. The drop-out rates relate to a narrower range of courses and have a different institutional coverage than the entrant figures shown.

The Department is currently working with the higher education funding bodies in the UK to develop a method of calculating drop-out rates which can be applied to all UK higher education institutions and which takes into account the non-traditional routes that some students follow. These routes may include changing courses or institutions, repeating years or leaving higher education for a year or more before continuing their studies.

Efficiency Gains

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to express efficiency gains as a percentage of his departmental budget; and if he will make a statement. [69631]

Mr. Mudie: I refer the hon. Member to the publication "Public Services for the Future: Modernisation, Reform, Accountability" (Cm 4181) which is available in the Library. This includes the Department for Education and Employment's Public Service Agreement, which describes the Department's objectives and resources and contains our specific efficiency and performance targets, including an annual efficiency gain of 2½ per cent. in running costs.

Nurses (Work Permits)

Dr. Cable: To ask the Secretary of State for Education and Employment how many work permits issued for nurses in each of the last five years were *(a)* newly admitted one year work permits, *(b)* one year work permit renewals and *(c)* new work permits of over one year duration. [68577]

Ms Hodge: For the information requested at points *(a)* and *(c)* I refer the hon. Member to the reply I gave on 18 January 1999, *Official Report*, column *349*.

The information requested at *(b)* is not available as work permit records do not link applications for renewal of a permit with the period for which the permit was originally approved.

Remploy (North Staffordshire)

Ms Walley: To ask the Secretary of State for Education and Employment what discussions he has had with Remploy about their factories in North Staffordshire. [69059]

Ms Hodge: There have been no discussions between my right hon. Friend the Secretary of State and Remploy about their factories in North Staffordshire.

However, I am aware that Remploy management recently informed the workforce and unions in the three Remploy factories in Stoke, Trentham and Newcastle under Lyme of their intention to look into the feasibility of merging the three factories onto one site. I am told that two of the factories are in poor structural condition, and the third does not provide the necessary scope to expand operations. An important aim from any merger would be to provide a more modern facilities with a better working environment for the disabled employees.

I understand that there would be full consultation with the workers and trade union representatives on each site if the project looked feasible. If there was a merger, all existing disabled employees would be guaranteed a job at the new site and help with transport as necessary.

Early Education (Hampshire)

Mr. Hancock: To ask the Secretary of State for Education and Employment what is the participation rate of three-year-olds in early education in Hampshire. [69461]

Ms Hodge: The information is not available in the form requested. There were 559 three-year-olds in maintained nursery and primary schools in the Hampshire Local Education Authority area in January 1998. In addition, the Government have set a target to double the national participation rate of three-year-olds in free early education places to 66 per cent. by 2002, using the maintained voluntary and private sectors.

Childcare Unit

Mr. Vaz: To ask the Secretary of State for Education and Employment if he will make a statement on the budget of the Childcare Unit. [69232]

Ms Hodge: The Childcare unit is taking forward work on the National Childcare Strategy. Some £470 million has been allocated to support the National Childcare Strategy in England from April 1998–2003, of which £300 million comes from the Department for Education and Employment budget.

The Childcare Unit's running cost budget for 1998–99 is £824,000.

Teacher Assessment

Mrs. May: To ask the Secretary of State for Education and Employment (1) how many external assessors his Department estimates will be needed to implement his proposals for teacher assessment set out in the Green Paper; and how many teacher assessments an external assessor will be expected to conduct on average in an academic year; [69637]

(2) who will be the employer of the external assessors referred to in his Department's proposals for teacher assessment set out in the recent Green Paper; and who will determine their rates of pay. [69638]

Ms Estelle Morris: The independent external assessors will not be involved in the annual appraisal cycle, but will work with the headteacher, confirming his or her judgments made on the assessments at the new threshold and ensuring that a robust pay policy exists in the school which properly rewards good teaching. We are consulting on the role of the assessors, and will make further announcements in due course.

Education SSA (Southampton)

Mr. Hancock: To ask the Secretary of State for Education and Employment what was the increase in the standard spending assessment for education for Southampton Education Authority in the last three years for which figures are available. [69470]

Ms Estelle Morris: The following table sets out the information requested in cash and percentage terms after allowing for local authority changes of function.

Underlying increase over previous year

Year	£ million	Percentage
1999–2000	5.0	6.1
1998–99	5.7	7.5
1997–98	1.8	2.5

Grants (Devon)

Mr. Sanders: To ask the Secretary of State for Education and Employment what grants have been made, or are planned to be made, by his Department to Torbay Council in *(a)* 1998–99 and *(b)* 1999–2000. [69366]

Ms Estelle Morris: The table sets out the allocations for 1998–99 to Torbay through the education standard spending assessment system, the Standards Fund, Annual Capital Guidelines, the New Deal for Schools and the money to reduce infant class sizes. Figures for 1999–2000 are also set out where announcements have already been made. Torbay's share of the money for the New Deal for Schools and the reduction of infant class sizes in 1999–2000 will be announced in due course.

£ million

Programme	*1998–99*	*1999–2000*
Education SSA	46.7	49.9
Standards Fund	1.0	2.4
Annual Capital Guidelines	1.3	1.6
New Deal for Schools	0.6	—
Reduction of Infant Class Sizes (Capital)	0.2	—

To be announced

Notes:

1. The Standards Fund allocations include the LEA contribution to the programme.

2. Annual Capital Guidelines represent loan sanction, the repayment of which generates SSA cover through the Capital Financing SSA.

Infant Class Size Plan

Mr. Webb: To ask the Secretary of State for Education and Employment if he will list for each local education authority in the most recent round of bids under the infant class size plan *(a)* the amount bid for and *(b)* the amount allocated. [68810]

Ms Estelle Morris: No allocations have yet been made. Class size plans are the subject of continuing discussions between the Department for Education and Employment and local education authorities, and thus the funding proposals associated with them may change.

Nursery Places

Mr. Levitt: To ask the Secretary of State for Education and Employment when he plans to extend Government funding of nursery places to three-year-olds. [68324]

Ms Hodge: The Government have set a target to double the participation of three-year-olds in free early education places to 66 per cent. by 2002. In 1999–2000, the Government are making available £40 million to the 50 Local Education Authority areas with greater social need to bring forward the first 47,000 places, which will be found in all sectors and described in each Authority's Early Years Development and Childcare Plan. Over the following two years an additional £350 million will be available to expand places across all Local Education Authority areas.

Mr. Levitt: To ask the Secretary of State for Education and Employment what guidelines he has issued to local authorities in informing parents of three and four-year-olds of their rights of access to local provision of nursery places. [68325]

Ms Hodge: The Government have issued guidance to Early Years Development and Childcare Partnerships about what information they should provide to parents about early education and child care. In every LEA area there is an early education place for all four-year-olds whose parents want one; expansion of places for three-year-olds will begin in 50 LEA areas from September 1999.

Grants and Awards

Yvette Cooper: To ask the Secretary of State for Education and Employment if he will list the grants and awards that require bids from applicants which his Department is responsible for administering and awarding *(a)* nationally and *(b)* that people and groups within Wakefield Metropolitan District are eligible to bid for; if he will publish the deadlines for these applications; and if he will produce this list on a regular basis. [69089]

Ms Estelle Morris: A list of specific grants for education managed by the Department for Education and Employment for 1999–2000 which require bids from local education authorities, and the deadlines for those bids, are listed in the table. All local education authorities, including Wakefield Metropolitan District Council, are able to bid for these grants. This list will be produced as and when requested, normally grant programmes represented by these bids are revised annually.

Grant	*Deadline*
The Standards Fund Programme (as set out in DfEE Circular 13/98)	16 November 1998
Protecting and expanding local education authority music services	15 January 1999
New Deal for Schools Phase 3	22 January 1999
Reduction in Class Size (Revenue)	30 October 1998
Reduction in Class Size (Capital)	20 November 1998
Independent/State School Partnerships	5 February 1999
Voluntary Aided Schools Capital Grants	19 October 1998
Education Action Zones	16 April 1999

Education SSA (Leicestershire)

Mr. Reed: To ask the Secretary of State for Education and Employment what representations he has received from Leicestershire schools about Leicestershire's education standard spending assessment for 1999–2000; and if he will make a statement. [69471]

Ms Estelle Morris: We have received a number of representations from Leicestershire schools welcoming the underlying 6.3 per cent. increase in the education SSA for Leicestershire, but criticising the decision not to change the distribution formula. The Government will carry out further research over the next few years designed to improve the fairness of the current formula.

HEALTH

Nursing Care (Funding)

Mr. O'Hara: To ask the Secretary of State for Health what plans he has to provide guidance to health and local authorities regarding the funding of nursing care as a result of the R-v-North and East Devon Health Authority, ex parte Pamela Coughlan judgment. [66383]

Mr. Hutton: We understand North and East Devon Health Authority have submitted an application for leave to appeal against the judgment ex parte Coughlan. We will consider the need for guidance to health and local authorities once the result of the application is known.

Expenditure (London)

Mr. Cohen: To ask the Secretary of State for Health when the NHS Executive for London plans to allocate the capital budget for 1999–2000; and on what basis. [64934]

Mr. Denham: Initial capital allocations for 1999–2000 will be notified to National Health Service trusts and health authorities in February. Further allocations will be made throughout the year following approval of business cases. Allocations will be made in accordance with the priorities set out in Health Service Circular 1998/214, copies of which are available in the Library.

ME

Mr. Sawford: To ask the Secretary of State for Health if he will estimate the number of people in Britain diagnosed as suffering with chronic fatigue syndrome; and how many are receiving, or have received, specialist treatment for their condition. [67010]

Ms Jowell: The information is not available in the form requested. A number of definitions, disease descriptions or diagnostic criteria have been proposed to describe chronic fatigue syndrome/myalgic encephalomyelitis. However, there is no general agreement as to which should be used. This makes the results from studies on the prevalence of CFS/ME difficult to interpret and there is no agreement on the incidence of the illness.

There is no information available on outpatient appointments. However, figures for CFS/ME for ordinary admissions and daycases in NHS trusts in England, for financial years 1995–96 to 1997–98 are shown in the table.

The National Health Service provides a considerable number of services to which sufferers from CFS/ME have access, because of the wide range of symptoms people with CFS/ME can experience they are seen within a wide range of hospital specialties. Under the present system it is for health authorities and general practitioners to plan and arrange the services available to people in their care, following an assessment of their needs.

Chronic Fatigue Syndrome

Year	*FCEs*
1995–96	705
1996–97[1]	600
1997–98[1]	650

[1] Figures for 1996–97, 1997–98 are provisional, no adjustments have yet been made for shortfalls in data (i.e. the data are ungrossed)

Notes:

1. Ordinary admissions and daycases combined—finished consultant

episodes (FCEs) by primary diagnochronic/post viral fatigue syndrome in NHS trusts in England.

2. ICD1 10 code used is G93.3.

3. An FCE represents a complete period of inpatient treatment under the care of an individual hospital consultant and in about 95 per cent. of cases represent a complete spell in hospital.

Source:

Department of Health, Hospital Episode Statistics

Nurses (Pay)

Mr. Rowe: To ask the Secretary of State for Health what assessment his Department has made of the impact on voluntary sector organisations which employ nurses of the proposed public sector pay award for nurses. [69010]

Mr. Denham: The Review Body for Nursing Staff, Midwives, Health Visitors and Professions allied to medicine makes recommendations on the remuneration of groups within their remit employed in the National Health Service.

Voluntary organisations are responsible for assessing, determining and reviewing their own running costs and it would be inappropriate for the Department to become involved in that process.

Mrs. Ewing: To ask the Secretary of State for Health which establishments have paid a regular lead to nursing staff in each year since 1970; what was the annual value of the lead; what was its purpose; and if he will make a statement. [69054]

Mr. Denham: National terms and conditions for nursing staff include a range of leads and allowances paid under certain circumstances. Details of all such allowances were set out in Annex 1 of our 1998 evidence to the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine, copies of which are available in the Library. This included information on the current national rate of payment and a brief description of conditions for payment. Further information on conditions for payment is in the Nursing and Midwifery Staffs Negotiating Council Handbook. The value of leads and allowances each year from 1970 can be found in the Advance Letters issued to the National Health Service, copies of which have been placed in the Library. All NHS bodies which employ nurses on national contracts pay these leads and allowances, if qualifying conditions are met. Since 1994 employers have had the flexibility to increase leads and allowances locally which some NHS trusts have done. In their sixteenth report for 1999, laid before Parliament by my right hon. Friend the Secretary of State for Health, the Review Body recommended that London allowance and on-call and stand-by allowance should be increased and urged NHS trusts to increase relevant leads and allowances. The national rate of London allowance will increase by 15.4 per cent. from 1 April 1999 and on-call and stand-by allowance will also be increased by 19 per cent. from 1 April 1999.

HIV-Aids

Mrs. Virginia Bottomley: To ask the Secretary of State for Health how much was spent on HIV/AIDS prevention, care and treatment in 1997–98; and how much was spent on HIV/AIDS research in 1997–98 on projects wholly and partly funded by his Department. [69167]

Ms Jowell: In 1997–98 health authorities in England were allocated £199.3 million for the treatment and care of HIV/AIDS patients. This amount was not ring-fenced to allow health authorities flexibility to spend more or less in the light of local circumstances. The Department does not routinely collect information on the amount actually spent on HIV/AIDS services.

In 1997–98, local authorities were provided with £13.7 million as a contribution towards the cost of community care services for people with severe HIV and AIDS. The AIDS support grant scheme operates on a 70:30 basis with local authorities providing at least 30 per cent. of the total spent. The Department also made available £1.5 million to the voluntary sector through the Section 64 general scheme to provide care, support services and information to people affected by HIV and AIDS.

In 1997–98 health authorities in England were allocated £52.3 million which was ring-fenced for HIV Prevention activities and in the same year £4.6 million was spent on national health promotion campaigns and initiatives.

Departmental expenditure on HIV/AIDS research in 1997–98 was £117,000 for wholly funded work and around £1.275 million on partly funded research. The National Health Service research and development levy is also used to support research and development in health care settings. Project details are not held centrally and some further HIV/AIDS work may be supported by this route.

Waiting Times

Mrs. Virginia Bottomley: To ask the Secretary of State for Health if he will list the number of patients waiting for more than 12 months for treatment in each year during the past 20 years. [69163]

Mr. Denham: The number of patients who had been waiting more than 12 months for hospital admission at the end of march and the end of September in each of the last 20 years (1978–98) is set out in the table.

			Admissions
	Ordinary	*Day case*	*Total*
September 1978	158,308	—	n/a
March 1979	185,195	—	n/a
September 1979	197,532	—	n/a
March 1980	196,983	—	n/a
September 1980	187,993	—	n/a
March 1981	180,774	—	n/a
September 1981	180,905	—	n/a
March 1982	175,554	—	n/a
September 1982	192,902	—	n/a
March 1983	198,546	—	n/a
September 1983	205,920	—	n/a
March 1984	194,614	—	n/a
September 1984	189,546	—	n/a
March 1985	171,197	—	n/a
September 1985	160,227	—	n/a
March 1986	161,326	—	n/a
September 1986	164,682	—	n/a
March 1987	162,273	—	n/a
September 1987	184,580	24,860	209,440
March 1988	182,161	25,764	207,925
September 1988	192,591	27,338	219,929
March 1989	193,952	29,359	223,311
September 1989	187,528	30,588	218,116
March 1990	175,777	32,083	207,860
September 1990	172,025	30,715	202,740
March 1991	145,109	24,652	169,761
September 1991	134,661	23,860	158,521
March 1992	69,000	11,585	80,585
September 1992	66,821	13,760	80,581
March 1993	45,195	11,682	56,877
September 1993	54,317	16,705	71,022
March 1994	46,404	18,104	64,508
September 1994	44,858	17,483	62,341
March 1995	21,750	10,444	32,194
September 1995	19,815	8,123	27,938
March 1996	3,686	890	4,576
September 1996	10,733	4,260	14,993
March 1997	20,732	10,476	31,208
September 1997	35,583	22,083	57,666
March 1998	40,170	27,853	68,023
September 1998	37,760	25,720	63,480

Note:

Before September 1987 figures relate to ordinary (overnight) admissions; the numbers of people waiting for day cases were not collected before this date.

Prostheses Users

Mr. Oaten: To ask the Secretary of State for Health what has been the cost of extra contractual referrals *(a)* in total and *(b)* for prostheses users in each year since 1994–95. [69222]

Mr. Hutton: Information on extra contractual referrals (ECRs) outturn expenditure has been collected by health authorities since 1994–95. Actual outturn expenditure figures (unaudited) for ECRs are available from 1994–95 through to 1997–98 and forecast outturn figures for 1998–99. The figures are:

Year	*£ million*
1994–95	386
1995–96	438
1996–97	494
1997–98	530
1998–99	[1]495

[1] forecast outturn

Information on ECRs for prostheses users is not ~~collected centrally~~.

Mr. Oaten: To ask the Secretary of State for Health (1) how his Department calculates the cost-benefit ratio of out of area referrals for prostheses users whose own limb centre cannot meet their individual needs for comfort, capability and cosmesis; [69223]

(2) how many extra contractual referrals were made *(a)* in total and *(b)* for prostheses users in each year since 1994–95. [69221]

Mr. Hutton: The information requested is not collected centrally or validated, but it may be available at health authority level for individual health authorities.

Disablement Services

Mr. Sanders: To ask the Secretary of State for Health (1) if disablement service users are involved in assessing the effectiveness of mechanisms to address the variations in access to, and quality of, disablement services; [69169]

(2) what representations he has received about the effectiveness of mechanisms to address the variations in access to, and quality of, disablement services; [69153]

(3) what mechanisms are in place to help ensure consistent access to, and the quality of, disablement services; [69170]

(4) what assessment he has made of the effectiveness of mechanisms to address the variations in access to, and quality of, disablement services; [69151]

(5) how his Department assesses the effectiveness of mechanisms to address the variations in access to, and quality of, disablement services. [69152]

Mr. Hutton: In carrying forward the programme of modernisation set out in our White Paper "The new NHS" we are aiming to reduce inequalities in the provision of health services, including services for disabled people, raise the quality of the services provided and involve users and carers more directly in the decisions made about those services. We have received representations from emPOWER, the charity consortium of users of prosthetics, orthotics, wheelchairs and electronic assistive technologies, about improving services for disabled people. We have discussed the issues with them and will be taking their views into account in the development of policies and services for disabled people.

Mr. Sanders: To ask the Secretary of State for Health (1) if he will access the benefits of establishing a disablement services national service framework to help ensure consistent access to, and quality of, disablement services; [69168]

(2) what representations he has received calling for a disablement service national service framework. [69154]

Mr. Hutton: A rolling programme of National Service Frameworks (NSFs) was launched in April 1998. The initial programme of work is taking forward established frameworks on cancer and paediatric intensive care and developing frameworks for coronary heart disease and mental health. There will usually be only one new NSF a year and the next two NSFs will be for older people (spring 2000) and diabetes (spring 2001).

The charity consortium emPOWER has asked us to consider the establishment of a disablement services NSF and we discussed this idea with them at a recent meeting. Any proposal for the establishment of a disablement services NSF will be considered alongside other proposed potential subjects for an NSF.

NHS Trusts (Appointments)

Mr. Brady: To ask the Secretary of State for Health if he will list the NHS Trust and Health Authority appointments which were not made by the due date and which remained outstanding on 1 February. [69495]

Mr. Denham: The information requested is shown in the table.

List of Health Authority and National Health Service Trust appointments which expired in 1998 and for which no appointment had been made by 1 February 1999

Region/Body	*Number of Chairs*	*Number of Non-Executives*
Eastern		
Essex Rivers Healthcare NHS Trust	0	1
Horizon NHS Trust	0	1
West Herts Community Health NHS Trust	0	1
North West		
Chester and Halton Community NHS Trust	1	2
Christie Hospital NHS Trust	1	2
Clatterbridge Centre for Oncology NHS Trust	1	2
Liverpool Women's Hospital NHS Trust	0	1
Manchester Health Authority	0	1
Mancunian Community Health NHS Trust	1	1
Oldham Hospital and Community Services NHS Trust	0	2
Tameside and Glossop Community and Priority Services NHS Trust	0	1
Warrington Community NHS Trust	0	2
Wirral Hospital NHS Trust	1	1
Northern and Yorkshire		
Calderdale and Kirklees Health Authority	0	1
North Cumbria Health Authority	0	2
London		
BHB Community Healthcare NHS Trust	0	1
City and Hackney Community Services NHS Trust	0	2
Croydon Community Health NHS Trust	0	1
Enfield Community Care NHS Trust	0	1
Hillingdon Hospital NHS Trust	0	2
King's Healthcare NHS Trust	0	1
Mayday Healthcare NHS Trust	0	1
Moorfields Eye Hospital NHS Trust	0	1
North Middlesex Hospital NHS Trust	0	1
Pathfinder Mental Health Services NHS Trust	0	1
Trent		
Central Nottinghamshire Healthcare NHS Trust	0	1
Grantham and District Hospital NHS Trust	0	1
Leicestershire Health Authority	0	1
Queen's Medical Centre, Nottingham, University Hospital NHS Trust	0	2
South East		
East Surrey Health Authority	0	2
South West		
Bath Mental Healthcare NHS Trust	0	1
Gloucestershire Ambulance Service NHS Trust	0	1
Gloucestershire Royal NHS Trust	1	0
Royal United Hospital Bath NHS Trust	0	1
West Midlands		
Birmingham Heartlands and Solihull (Teaching) Hospitals NHS Trust	0	1
Walsall Community Health NHS Trust	0	1
Total	6	45

NHS Hospital Beds

Mr. Cohen: To ask the Secretary of State for Health what assessment he has made of the level of provision of beds in NHS hospitals; and if he will make a statement. [69742]

Mr. Hutton: My right hon. Friend the Secretary of State announced last September the establishment of a national inquiry into hospital beds. Once the inquiry is completed, its findings will be published.

Doctors and Dentists (Pay)

Mrs. Ewing: To ask the Secretary of State for Health if he plans to implement in full the recommendations in paragraph 2.34 and 2.35 of the report of the Review Body on Doctors' and Dentists' Remuneration; and if he will make a statement. [69923]

Mr. Denham: I refer the hon. Member to the reply given to my hon. Friend the Member for Bolton, South-East (Dr. Iddon) on 1 February 1999, *Official Report*, columns *524–25*. It gave the Government's response to these two pay review body recommendations to allocate an extra £50 million a year from 2000–01 to reward individual consultants for increases in workload and intensity of work.

Our negotiations with the profession on a new consultant contract are covering these issues. We will consider the recommendation very carefully in the context of the negotiations, and are willing to make an investment in rewards and incentives if the negotiations deliver a better service for patients. We will, therefore, decide on the level of any extra funding for future years, and how such funding might be allocated, when the negotiations are complete.

Nurses (Working Hours)

Judy Mallaber: To ask the Secretary of State for Health what evidence he has obtained concerning the extent to which inflexibility in working hours deters nurses from taking up employment in the National Health Service. [69636]

Mr. Denham: The National Health Service Executive ran a one-off survey in January 1998 to follow-up the 1995 Office of Population Censuses and Surveys report "Qualified Nurses, Midwives and Health Visitors", which identified ways in which qualified nurses who had left nursing could be attracted back into the profession. The results from this survey, which include the impact of working practices, will be released shortly.

Viagra

Mr. Laurence Robertson: To ask the Secretary of State for Health what advice he is giving to doctors about the prescribing of viagra; and if he will make a statement. [69501]

Mr. Denham: The advice about Viagra contained in Health Service Circular 1998/158 stands. We will make a further announcement following careful consideration of all comments received during the six week consultation period on drug treatments for impotence which we announced on 21 January 1999.

Eastbourne District General Hospital

Mr. Waterson: To ask the Secretary of State for Health what assessment he has made of the adequacy of the number of nursing staff currently employed at Eastbourne District General Hospital; and if he will make a statement. [69381]

Mr. Denham: The East Sussex Brighton and Hove Health Authority has a duty to ensure that the quality of care for those living in Eastbourne is satisfactory and are presently in discussion with Eastbourne District General Hospital on whether additional resources can be released in 1999–2000 to help raise the established numbers of nursing staff to average levels.

Food Standards Agency

Mr. Chope: To ask the Secretary of State for Health (1) what is his estimate of the number of *(a)* retail businesses and *(b)* catering businesses which will be liable for the proposed Food Standards Agency levy which employ *(a)* fewer than 10 people and *(b)* fewer than 100 people; [68969]

(2) what is his estimate of the number of premises proposed to be liable for the payment of the Food Standards Agency levy which have *(a)* fewer than 10 employees and *(b)* fewer than 100 employees. [68968]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

There are about 175,000 retail food premises and about 340,000 catering premises in the United Kingdom, but data on the number of people they employ are not collected centrally. However, data on premises in which food represents the majority activity of business indicate that around 80 per cent. of premises employ fewer than 10 people, and around 99 per cent. employ fewer than 100 people. The Government will be seeking updated information on the number of premises liable for the levy from local authorities as part of the consultation process.

Mr. Chope: To ask the Secretary of State for Health if the proposed levy to fund the Food Standards Agency will be imposed on individual schools. [68975]

Mr. Rooker *[holding answer on 2 February 1999]:* I have been asked to reply.

Retail and catering premises required to register under the Food Premises (Registration) Regulations 1991, as amended (and equivalent Northern Ireland regulations), including those within schools, would be required to pay the proposed levy.

Mr. Chope: To ask the Secretary of State for Health for what reason the Government concluded that it would be more complex and costly to operate a levy to fund the Food Standards Agency which was confined to large food retailers. [68977]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

The entire food industry stands to benefit from greater consumer confidence, and therefore the Government propose to collect the levy from registered food premises at the final point of sale to the consumer. We believe that a flat rate fee, at the modest level proposed, represents a simple and transparent way of collecting the levy.

Mr. Chope: To ask the Secretary of State for Health what estimate he has made of the proportion of the total yield of the proposed levy for the Food Standards Agency which will come from small businesses. [68979]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

This depends on the definition of 'small business' used. Under most standard definitions, a significant majority of food premises would fall within this category.

Mr. Chope: To ask the Secretary of State for Health what efforts have been made to quantify in financial terms the benefits which the proposed Food Standards Agency will bring to its stakeholders. [68980]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

The principal benefits of the Food Standards Agency will be the protection of public health and greater consumer confidence. These benefits cannot be quantified in purely financial terms.

Mr. Chope: To ask the Secretary of State for Health for what reasons the proposed levy to fund the Food Standards Agency will apply to premises dealing only in fresh fruit and vegetables. [68981]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

The Government believe that the entire food industry stands to benefit from the Food Standards Agency and therefore proposes that all retail and catering premises required to register under the Food Premises (Registration) Regulations 1991, as amended (and equivalent Northern Ireland regulations), should make a contribution to the additional costs of the Agency. The only exception proposed is for premises whose only food sales are wrapped confectionery, soft drinks, crisps and similar wrapped products.

Mr. Chope: To ask the Secretary of State for Health whether the proposals for a levy on businesses to pay for the proposed Food Standards Agency has been considered by the Better Regulation Task Force; and if he will make a statement. [68982]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

The proposals have been considered by the Better Regulation Unit, which supports the Better Regulation Task Force. The views of the Better Regulation Task Force are being sought as part of the current consultation, and any comments they make will be taken into account as part of this exercise.

Mr. Chope: To ask the Secretary of State for Health when considering criteria for determining exemptions to the Food Standards Agency levy which premises the Government regarded as exceptionally vulnerable to the effects of the charge. [68978]

Mr. Rooker *[holding answer 3 February 1999]:* I have been asked to reply.

No distinct categories of premises were identified as exceptionally vulnerable.

Mr. Chope: To ask the Secretary of State for Health for what reason the consultation draft of the Food Standards Bill provides that the levy on food premises may be different in different areas. [68976]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

The provisions in the draft Bill are enabling provisions, which have been drafted so as to allow flexibility to modify the details of the levy and the level at which it is set in secondary legislation, as necessary, subject to the approval of Parliament.

Mr. Chope: To ask the Secretary of State for Health if the level of the proposed Food Standards Agency levy upon business will be the same in all parts of the United Kingdom. [68970]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

The Government's intention is that the levy should apply in all parts of the UK in a consistent way.

Mr. Chope: To ask the Secretary of State for Health what is his estimate of the number of businesses for which a flat rate levy of £90 for the Food Standards Agency would create significant problems. [68971]

Mr. Rooker *[holding answer 2 February 1999]:* I have been asked to reply.

A £90 annual levy equates to a levy of £1.73 a week. I do not anticipate that businesses will find that sum difficult to afford, but we hope to get more information on this through the consultation process currently underway.

Written Answers to Questions

Tuesday 9 February 1999

NORTHERN IRELAND

Arrest Warrants

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the procedure for the review of an outstanding warrant of arrest issued by the RUC; how frequently an outstanding warrant is reviewed; and in what circumstances and by what criteria an outstanding warrant could be set aside. [69881]

Mr. Ingram *[holding answer 8 February 1999]:* There are various types of arrest warrant:

1. Bench/arrest warrant
2. Committal warrant
3. Distress warrant
4. Extradition warrant
5. Enforcement of Justice warrant.

Different procedural arrangements for review apply to each. However, it should be noted that, generally, warrants issued under the appropriate legislation are returned if not executed, within the time specified therein. If a time limit is not specified the unexecuted warrant is returned to a court or issuing Justice at the end of twelve months for cancellation or re-issue.

Generally, warrants are not executed after a lapse of two years without instruction from the issuing authority in cases:

(a) to enforce appearance at Magistrates' Courts; and

(b) to arrest for trivial offences.

Except in cases of a serious crime or where delay in execution may result in the escape of the accused, a warrant which has been on issue for more than four years is not executed without instructions from the issuing authority.

The setting aside of an outstanding warrant is a matter for the issuing authority.

Police and Court Databases

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list the headings under which police and court databases in Northern Ireland record *(a)* arrests, charges and convictions, *(b)* the personal details of individuals who are arrested, charged or convicted and *(c)* the employment details of individuals arrested, charged or convicted; and if the databases contain information on the numbers of individuals (i) whose employment may change from the time of their arrest to the time of their conviction and (ii) arrested, charged or convicted who may have served part-time or full-time in Her Majesty's armed forces or the Royal Ulster Constabulary. [69879]

Mr. Ingram *[holding answer 8 February 1999]:* Details of the fields of information held by the Royal Ulster Constabulary in its Court database are as follows:

Data held by central statistics unit of the Royal Ulster Constabulary

	Court statistics
CS Reference Number	Crime statistics Ref No—Unique number created by the system to identify each court record
Year	The year in which the case went to court
Court Code	The location of the court in which the case was heard, i.e. Bangor or Belfast etc.
Bill No.	Court Service reference number.
Court Date	The date on which the case was held.
Sex	Male, Female or other (businesses etc.)
DOB	The offenders date of birth.
Age	Age of offender—generated by the computer.
Occupation	The occupation of the accused, this only applies to members of the security forces, i.e. police, army or prison officer.
Ethnicity	The ethnic origins of the accused.
FCN	Force computer number—criminal record number issued to the defendant.
Offence Date	Date on which the offence occurred.
Sub Division	The radio call sign of the Sub-Divisional headquarters where the offence took place.
Previous Convictions	State if the defendant has any previous convictions.
TIC	The number of offences taken into consideration.
Scheduled	States whether the offence is scheduled or non scheduled. Scheduled offences are heard in crown courts and are of a more serious nature, i.e. terrorist or other serious crimes.
Additional	As the system can only hold seven offences, any additional charges are noted here.
Plea	Guilty or Not Guilty.
Prefix	States if the offences was attempted, siding and abetting, conspiring or inciting.
Offence Code	Numeric code of each offence.
Suffix	States if the offence was armed robbery or aggravated burglary.
Finding	Decision of the court—guilty, not guilty or sent to trial.
Type of Offence	States if the offence is primary or secondary and also if it is indictable/summary/motoring.
Disposal	Numeric code to identify the sentence.
Unit	Specifies if the penalty is monetary or of time duration.
Amount or duration	States the amount of the fine or the duration of the sentence.

This database does not contain information on the numbers of individuals whose employment may change from the time of their arrest to the time of their conviction.

The following information in respect of the databases of the Courts has been provided by the Northern Ireland Court Service, a unified and distinct civil service of the Crown, responsible to the Lord Chancellor.

Information recorded on court databases

		Belfast Crown Court	*Belfast and Newtownabbey magistrates courts*
(a)	Arrests	Not recorded	Not recorded
	Charges	*Number against each defendant per offence category:* Murder Manslaughter Wounding Burglary and Robbery Fraud and Forgery Sexual Offences Criminal Damage Offences against the State Drugs Theft and unauthorised taking	*Number against each defendant per offence category:* Indictable—Crown Court only Indictable—Tried Summarily Major motoring Minor motoring Other Summary
	Convictions	Number per defendant	Number per defendant
(b)	Personal details of individuals arrested, charged or convicted	Not recorded	Not recorded
(c)	Employment details of individuals arrested, charged or convicted	Not recorded	Not recorded

These databases do not contain information on the numbers of individuals (i) whose employment may change from the time of their arrest to the time of their conviction or on those individuals (ii) arrested, charged or convicted who may have served part-time or full-time in Her Majesty's armed forces or the Royal Ulster Constabulary.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Northern Ireland what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in her Department for 1998–99; and to what extent the pay awards were staged. [69512]

Mr. Paul Murphy: The headline pay settlement for the Northern Ireland Civil Service (NICS) was 3 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance-related increases, averaging 4 per cent. of which 0.5 per cent. was paid as non-consolidated non-pensionable bonuses. The increases were not staged.

The headline pay settlement for the Northern Ireland Office (NIO) was 2 per cent. on the paybill and together with the additional funds from staff turnover staff in post received performance-related increases averaging 3.5 per cent. The increases were not staged.

DEFENCE

RN Base Clyde

Mr. Hancock: To ask the Secretary of State for Defence which organisation maintains and refits nuclear submarines at RN Base Clyde; when the contract commenced; and what previous experience of such work the organisation had. [69062]

Mr. Spellar: Nuclear submarines are not refitted at HM Naval Base Clyde. Repair and maintenance on nuclear submarines at the Clyde Naval Base is conducted by Royal Naval personnel and Civilian contractors. To meet fluctuations in workload and when it has been considered cost effective to do so, contracts for maintenance work have been placed with civilian companies. These are principally Babcock Rosyth Defence Ltd., Devonport Management Ltd. and Rolls Royce and Associates, all of whom have wide experience in this work.

REME

Mr. Hoyle: To ask the Secretary of State for Defence what advice he received from TAVRA North West on the proposal to transfer HQ 101 Battalion REME to Queensferry. [69344]

Mr. Doug Henderson: This advice was given in confidence, as part of internal discussion. I am therefore withholding the information under exemption 2 (internal discussion and advice) of the Code of Practice on access to Government information.

Procurement Contracts

Mr. Hancock: To ask the Secretary of State for Defence what evaluation of past performance is included in the assessment of bids for defence procurement contracts; and what criteria are included when considering bids from contractors who have not previously supplied his Department. [69411]

Mr. Spellar: The MOD takes account of a company's capability and capacity, including past performance, when deciding which companies should be invited to tender. Where there is uncertainty about the ability of firms to meet the requirement, companies that have expressed interest, including potential new suppliers, are normally asked to complete a pre-qualification questionnaire to provide information on, among other matters, their technical capability and delivery history. As part of the implementation of Smart Procurement, we are seeking, jointly with Industry, to reinforce our procedures for taking account of past performance in assessing tenders.

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the profit margins included in bids made by tenderers for defence procurement contracts. [69410]

Mr. Spellar: The Ministry is unaware of the level of profit included in competitive bids for defence procurement contracts since this is a judgment for the tenderers to make. In non-competitive contracts the level of profits is negotiated in accordance with the Government Profit Formula, on a company-by-company basis.

RN Base Faslane

Mr. Hancock: To ask the Secretary of State for Defence if installed personal IPM7 monitors are in use at RN Base Faslane; if personnel are monitored by IPM7 when they leave the yard; and if he will make a statement on the practice at other nuclear establishments. [69465]

Mr. Spellar: One IPM7 walk through monitor is installed in the Clyde Naval Base. When leaving classified areas all personnel are monitored for contamination by trained Health Physics staff using hand held instruments. They also have the option of using the IPM7 at this stage. In the very unlikely event that personnel are contaminated, they are taken to the Health Physics Group for decontamination, which includes compulsory monitoring by the IPM7.

At MOD-owned nuclear establishments, it is the practice to monitor the working environment and exposed personnel for possible contamination. Contamination monitors are used as part of the overall monitoring arrangements.

Landmines

Mr. Key: To ask the Secretary of State for Defence what progress his Department has made in finding alternatives to landmines for use in military operations. [69561]

Mr. Doug Henderson *[holding answer 8 February 1999]:* There is no single weapon which can replace the capability previously provided by anti-personnel landmines. Work is continuing to establish how best to provide the required capability in the future, consistent with our obligations under UK and International law. Where necessary, anti-tank mines will continue to be used in military operations.

Royal Ordnance, Bishopton

Mr. Key: To ask the Secretary of State for Defence if he will list the overseas sources which will meet his Department's requirements for propellants following the closure of Royal Ordnance, Bishopton. [69569]

Mr. Spellar *[holding answer 8 February 1999]:* The supply of sub-components, including propellant, for equipment supplied under existing MOD contracts is a matter for Royal Ordnance and other prime contractors until the completion of the contract. Future MOD requirements for propellant will be subject to procurement decisions in due course. We expect that alternative sources of propellant will be available from friendly and reliable sources in Europe, or further afield.

Supreme Headquarters Allied Powers Europe

Mr. Key: To ask the Secretary of State for Defence when access will be restored to the website of the Supreme Headquarters Allied Powers Europe. [69570]

Mr. Doug Henderson *[holding answer 8 February 1999]:* Work is underway to restore access to the website of the Supreme Headquarters Allied Powers Europe (SHAPE). This work is a matter for the SHAPE authorities.

Biological Detection Systems

Mr. Key: To ask the Secretary of State for Defence (1) if he will make a statement on the prototype biological defence vehicles which his Department intends to purchase; [69560]

(2) what progress his Department is making on the development of personal biological weapons detectors. [69558]

Mr. Spellar *[holding answer 8 February 1999]:* A number of vehicle-mounted Prototype Biological Detection Systems were accepted into service on 7 December 1998. They provide a deployable detection capability to supply field commanders with the information necessary to institute protective and medical countermeasures. These prototype systems provide an interim capability until the vehicle-mounted Integrated Biological Detection System enters service. This is currently the subject of a competition for full development and production.

MOD work on a personal biological agent detection system is currently at the research stage.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Defence what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69519]

Mr. Spellar: The headline pay settlement was 2½ per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance-related increases averaging 4½ per cent. The increase was not staged.

Competitive Sport (Armed Forces)

Mr. Key: To ask the Secretary of State for Defence if he will make a statement on the role of competitive sport in the armed forces. [70122]

Mr. Doug Henderson: Participation in competitive sport within the Armed Forces has long been recognised as playing a very considerable part in Service life. In addition to being a key means of promoting physical fitness, team spirit and of great benefit to maintaining high levels of morale, sport within the Armed Forces contributes to military effectiveness by developing personal qualities such as motivation, courage, resilience, stamina and co-ordination.

Market research indicates that opportunities for competitive sport within the Services is high on the list of factors which attract many potential recruits to join the Armed Forces. It is my Department's firm policy to promote fitness and a healthy lifestyle among personnel and to encourage fully the participation by members of the Armed Forces in structured sporting activities, together with adequate time to do so.

Mr. Key: To ask the Secretary of State for Defence if Wednesday afternoons are still set aside for competitive sport for armed forces personnel. [70128]

Mr. Doug Henderson: The Armed Forces have traditionally set aside Wednesday afternoons, on an informal basis, to give personnel the opportunity to partake in competitive and non-competitive sporting activity. This is still encouraged although the level of participation is very much dependent on operational requirements and training commitments within the various chains of Command, with whom the final decision rests. In some cases representative sports are played on other days of the week in order to reduce the effect of absence from primary duties.

Northern Division

Mr. Key: To ask the Secretary of State for Defence what will be the cost of relocating and retasking existing brigades in establishing the proposed northern division. [70123]

Mr. Doug Henderson: No existing brigades are to be relocated as a result of the establishment of the northern division. Rather, there will be a transfer of responsibility for some existing tasks between Divisional and Brigade Headquarters; small numbers of staff will transfer accordingly, but the costs will not be significant.

Mr. Key: To ask the Secretary of State for Defence what will be the cost of providing new and refurbished buildings in Edinburgh when 2 Divisional HQ moves from York to Edinburgh. [70127]

Mr. Doug Henderson: We estimate that the initial cost of refurbishing office accommodation at the Headquarters Scottish District in Craigiehall will be some £250,000; there is a project to rebuild the headquarters in due course and it was assumed in the review of the Army's divisional/district structure that this project would proceed at a cost of £7 million during the second half of the next decade.

Mr. Key: To ask the Secretary of State for Defence on what criteria he based his decision to move the Army's 2 Divisional HQ from York to Edinburgh. [70124]

Mr. Doug Henderson: The criteria were that the headquarters of the Northern Division should be able to carry out its role effectively and at reduced cost when compared with existing arrangements.

Centre for Applied Microbiology and Research

Mr. Key: To ask the Secretary of State for Defence on how many occasions in the past five years the Ministry of Defence Observer has attended a board meeting at the Centre for Applied Microbiology and Research. [70023]

Mr. Spellar: Four.

Armed Forces Pensions

Mr. Rendel: To ask the Secretary of State for Defence if he will estimate the cost of backdating the changes which became operative from 1 April 1975 to the Armed Forces pension arrangements to cover all those who retired before 1 April 1975. [70230]

Mr. Spellar: The only change to the Armed Forces Pension Scheme which became operative on 1 April 1975 was the introduction of preserved pensions for those with insufficient service to qualify for an immediate pension. In line with public service pension scheme practice the improvement was not applied retrospectively to those who had already left the Armed Forces. An estimate of the cost of backdating the change is not available and could be obtained, if at all, only at disproportionate cost.

Furthermore, costs to MOD could not be considered in isolation from other Government Departments. It is the general practice for all public service pension schemes, when introducing improvements, to apply them only to those serving at the date of the change. If the pensions of all retired Scheme members were retrospectively increased each time a new improvement was introduced, changes to schemes would become very expensive and probably unaffordable.

Guards Battalions

Mrs. Ewing: To ask the Secretary of State for Defence if he will list the numbers of trained officers and soldiers currently serving in the Guards battalions by nationality. [69856]

Mr. Doug Henderson: The following figures are limited strictly to those personnel serving with their battalions. It does not cover officers or soldiers from the Foot Guards posted to units or establishments away from their battalions, staff, headquarters, diplomatic staff, or training organisations. Where no nationality is know it is categorised as No Nationality.

	1 Grenadier Guards	*Nijmegan Coy Grenadier Guards*	*1 Coldstream Guards*	*7 Coy Coldstream Guards*	*1 Scots Guards*	*F Coy Scots Guards*	*1 Irish Guards*	*1 Welsh Guards*	*Total*
Strength of all trained officers									
English	31	4	29	3	28	3	33	25	156
Scottish	—	—	1	—	11	—	1	—	13
Welsh	—	—	—	—	—	—	2	8	10
British	1	1	2	—	1	1	2	—	8
N Irish	—	—	—	—	—	—	2	—	2
Manx	—	—	1	—	—	—	1	—	2
No Nationality	1	—	—	—	—	—	—	—	1
Indian	—	—	—	—	—	—	1	—	1
Channel Island	—	—	1	—	—	—	—	—	1
British/Irish Rep		—	—	—	—	—	1	—	1
Brit/US	—	—	1	—	—	—	—	—	1
Total	33	5	35	3	40	4	43	33	196
Strength of all trained soldiers									
English	475	63	565	96	178	39	420	130	1,966
Welsh	3	1	4	—	6	—	8	407	429
Scottish	10	3	21	1	290	49	19	6	399
N Irish	2	—	3	—	3	—	148	1	157
British	11	—	13	1	14	3	9	9	60
Citizen Irish Rep	1	—	—	1	—	—	39	—	421
Irish Rep/Foreign	—	—	—	—	—	—	3	—	3
Irish Rep/Resident	—	—	—	—	—	—	3	—	3
British/Irish Rep	—	—	—	—	—	—	2	—	2
Manx	—	—	—	—	—	1	1	—	2
Australian	2	—	—	—	—	—	—	—	2
British Hong Kong	—	—	1	—	—	—	—	—	1
New Zealander	1	—	—	—	—	—	—	—	1
Rhodesian	1	—	—	—	—	—	—	—	1
Trinidadian	—	—	1	—	—	—	—	—	1
Eireian	—	—	—	—	—	—	1	—	1
S African	—	—	—	—	—	1	—	—	1
Channel Islander	1	—	—	—	—	—	—	—	1
British/British Commonwealth	—	—	1	—	—	—	—	—	1
Brit Nat/Foreign Restr	—	—	—	—	—	—	1	—	1
Total	507	67	609	99	491	93	654	553	3,073

Mrs. Ewing: To ask the Secretary of State for Defence what is *(a)* the establishment and *(b)* the current strength of each of the regiments in the Foot Guards; and if he will list each element of company strength serving with them, indicating where each battalion has soldiers attached to it from another battalion, which battalion they are from and in what numbers. [69855]

Mr. Doug Henderson: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Royal Tournament (Gun Competition)

Mr. Key: To ask the Secretary of State for Defence if he will make a statement on the future of the naval gun competition in the Royal Tournament. [70121]

Mr. Doug Henderson: We announced in September last year that the Royal Tournament in its current form will end in 1999. A special event will be held in the year 2000 to celebrate the millennium. As we said at the time of the announcement, the nature of events in 2001 and beyond are subject to further work on timing, location and format. The future of the naval gun competition is being considered as part of that process. At present nothing has been ruled in or out.

South Coast Biological Defence Trials

Mr. Caplin: To ask the Secretary of State for Defence if he will publish the independent review conducted by Professor Brian Spratt of the South Coast biological defence trials. [70568]

Mr. Doug Henderson: Professor Brian Spratt has now completed his review of the microbiological defence trials conducted along the South Coast in the 1960s and 1970s. The MOD welcomes his main findings:

> That the trials would have caused no harm to the vast majority of people.
>
> That, although there may have been an unquantifiable risk of infection in a small number of people who had a serious underlying disease, such as cystic fibrosis, any such infections would have been infections of the chest or blood and would have occurred within days of release of the bacteria.
>
> That it is extremely unlikely that there is any link between the bacteria released in the trials and health problems reported by people who have suffered chronic ill health, miscarriages, or who have had children with disabilities.

I have arranged for a copy of Professor Spratt's full report to be placed in the Library of the House.

HOUSE OF COMMONS

Recycling

Mr. Chaytor: To ask the Chairman of the Administration Committee (1) what proportion of the consumption of each of the following materials on the Parliamentary Estate is currently recycled *(a)* paper, *(b)* kitchen oils, *(c)* lightbulbs and fluorescent tubes, *(d)* glass drinks bottles, *(e)* drinks cans, *(f)* refrigerant gases and *(g)* plastic products; [68734]

(2) if she will set targets for each of the next five years for the recycled proportion of *(a)* paper, *(b)* kitchen oils, *(c)* lightbulbs and fluorescent tubes, *(d)* glass drinks bottles, *(e)* drinks cans, *(f)* refrigerant gases and *(g)* plastic products consumed on the Parliamentary Estate. [68735]

Mrs. Roe: These are matters for the Serjeant at Arms. I have asked him to write to my hon. Friend.

HOME DEPARTMENT

Asylum Seekers

Dr. Cable: To ask the Secretary of State for the Home Department how many asylum seekers were *(a)* declarees at the point of entry and *(b)* non-declarees who were subsequently identified as seeking assistance in each quarter since 1 January 1997. [68584]

Mr. Mike O'Brien: This information is not available in the form requested.

Asylum seekers may generally receive benefit in the form of income support, housing benefit and council tax benefit, if they are port asylum applicants, or support from local authority social services departments, if they are in-country asylum applicants or asylum appellants.

The information requested on those who seek support from local authority social services departments is not available. But on those who seek income support, statistics available on the number of urgent case payments that are claimed, awarded and refused are shown in the table. Only a small proportion of urgent case recipients are not asylum seekers.

The number of total urgent case payment claims broadly reflects the total number of asylum seekers who have sought income support; the numbers awarded indicate how many were on-arrival asylum applicants, the numbers refused are indicative of those who were in-country applicants (although this may also include a number of on-arrival applicants who do not satisfy the other rules of entitlement). But the latter do not include those in-country applicants who applied for support direct to local authority social services departments.

Number of urgent case payment claims, awards and refusals January 1997 to December 1998

	Number of urgent case payment claims	*Number of urgent case payment awards*	*Number of urgent case payments refused*
1997			
January	2,051	1,347	685
February	1,879	1,103	594
March	1,682	1,257	623
April	2,475	1,348	731
May	2,431	1,458	645
June	2,121	1,300	675
July	2,621	1,305	1,166
August	2,376	1,192	841
September	2,642	1,399	1,048
October	2,480	1,458	1,060
November	2,448	1,062	776
December	2,379	1,112	711
1998			
January	3,077	1,248	95[illegible]
February	2,544	1,288	953
March	2,900	1,504	1,142
April	2,723	1,221	1,146
May	2,401	1,110	1,050
June	3,064	1,449	1,134
July	3,348	1,437	1,806
August	3,372	1,719	1,796
September	3,418	2,215	1,829
October	3,698	2,168	2,314
November	3,270	1,922	1,883
December	2,899	1,959	1,447

Note:

Please note data are subject to amendment

Source:

Benefits Agency Management Information Statistics

Mr. Steen: To ask the Secretary of State for the Home Department how many applications for asylum were received from nationals of *(a)* Poland, *(b)* Romania, *(c)* Bosnia and Herzegovina, *(d)* Federal Republic of Yugoslavia, *(e)* Croatia, *(f)* Slovenia, *(g)* FYROM, *(h)* Albania and *(i)* Hungary in each month since 1 May 1997. [69990]

Mr. Mike O'Brien: The information requested is given in the table.

Asylum applications ' received in the United Kingdom, excluding dependants, May 1997 to December 1998, by month, for selected nationalities

Principal applicants

Applications	*Poland*	*Romania*	*Bosnia and Herzegovina*	*Federal Republic of Yugoslavia*	*Croatia*	*Slovenia*	*FYROM (Macedonia)*	*Albania*	*Hungary*
May 1997	55	40	10	95	5	15	—	35	—
June 1997	30	55	15	110	5	—	—	50	—
July 1997	40	65	10	150	5	—	—	40	—
August 1997	40	65	10	200	10	*	*	40	—
September 1997	35	25	5	220	10	5	*	55	—
October 1997	35	85	10	240	5	*	5	30	—
November 1997	40	70	10	220	20	—	5	40	—
December 1997	90	75	10	295	50	*	10	50	—
January 1998	90	40	5	270	5	—	*	30	—
February 1998	95	55	5	270	5	*	*	30	—

Asylum applications[1] *received in the United Kingdom, excluding dependants, May 1997 to December 1998, by month, for selected nationalities*

Principal applicants

Applications	*Poland*	*Romania*	*Bosnia and Herzegovina*	*Federal Republic of Yugoslavia*	*Croatia*	*Slovenia*	*FYROM (Macedonia)*	*Albania*	*Hungary*
March 1998	95	45	15	280	10	—	5	55	—
April 1998	140	70	10	385	10	*	—	30	—
May 1998	85	60	15	315	5	5	*	40	—
June 1998	100	50	15	680	15	*	*	55	—
July 1998	80	115	10	845	15	5	25	35	—
August 1998	140	95	15	905	15	—	*	55	—
September 1998	160	70	20	870	25	—	5	65	—
October 1998	200	115	15	1,160	30	—	*	70	—
November 1998	140	125	20	735	80	—	5	55	—
December 1998	265	170	10	675	115	—	5	40	—
Total	1,945	1,500	245	8,920	450	35	65	900	—

[1] Figures rounded to nearest 5, with * = 1 or 2

Source:

Immigration Research Statistics Service, RDS

Police Conduct

Mr. Cox: To ask the Secretary of State for the Home Department how many metropolitan police officers have been suspended from duty due to allegations as to their conduct and for *(a)* up to three months, *(b)* up to six months, *(c)* up to nine months, *(d)* up to 12 months, *(e)* up to 15 months and *(f)* over 15 months. [69069]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that the total number of officers suspended from duty as at 1 February 1999 was 106, and that the other information requested is as follows:

Period of suspension	*Number*
Up to 3 months	29
Up to 6 months	19
Up to 9 months	14
Up to 12 months	13
Up to 15 months	14
Over 15 months	17

The suspension of a particular officer from duty does not imply that action will be taken against that officer. That depends on the outcome of investigations on the case.

Strip Searches

Mr. McNamara: To ask the Secretary of State for the Home Department if he will list the conclusions and recommendations of the review evaluated by his Department of strip searching procedures; and if he will place a copy of the final report in the Library. [69608]

Mr. George Howarth: The Prison Service has completed its report on searching in prisons, but it has still to finalise recommendations and submit its proposals on how these will be implemented. A copy of the final report and its recommendations will be placed in the Library when this process has been completed.

Bus Lane Offences

Mr. Cox: To ask the Secretary of State for the Home Department how many prosecutions of private motorists charged with driving in a bus lane during the hours when such lanes are not authorised for use by private vehicles in the Greater London area there have been in each of the last three years. [69400]

Mr. Boateng: Prosecutions of private motorists are not separately identifiable in the statistics collected on motoring offences, nor can this offence be distinguished from other offences connected with neglect of traffic directions in the statistics collected centrally.

However, most bus lane offences are dealt with by fixed penalty notice, and information obtained from both the Metropolitan and City of London Police shows that 15,218 fixed penalties notices were issued by them for contravening a bus lane in 1996, 15,061 in 1997 and 14,846 in 1998.

Driving (Drugs)

Mr. Barry Jones: To ask the Secretary of State for the Home Department what steps he is taking to reduce the incidence of driving whilst under the influence of illegal drugs. [69543]

Mr. Boateng: We are working closely with the Department of the Environment, Transport and the Regions and Association of Chief Police Officers. The Home Office Police Scientific Development Branch is researching into the possible development of roadside drugs screening technology and we support the Association of Chief Police Officers in its work to ensure that officers have the appropriate training to enforce the current legislation as effectively as possible. We will consider possible changes in legislation in the light of the results of the DETR research into the incidence of drugs in road fatalities.

Channel Islands (Separation of Powers)

Mr. Mitchell: To ask the Secretary of State for the Home Department (1) what proposals he has to review the constitutional separation of powers between Judiciary and Legislation in Jersey following the European Court of Human Rights decision in McConnell *v.* the United Kingdom; [69555]

(2) what proposals he has to review the constitutional position of the Bailiff of the Royal Court of Guernsey and the separation of powers in that island following the European Court of Human Rights decision in McConnell v. United Kingdom. [69556]

Mr. Mike O'Brien: The European Court of Human Rights has not yet made a decision in this case. On 4 December 1998, the European Commission of Human Rights decided to refer the case to the Court and it will be examined in due course.

Home Detention Curfews

Mr. Soley: To ask the Secretary of State for the Home Department how he plans to monitor the effectiveness of the Home Detention Curfew Scheme. [69480]

Mr. George Howarth: An evaluation of the Home Detention Curfew (HDC) scheme is being carried out by the Home Office Research, Development and Statistics Directorate. The study will cover a variety of issues including the impact on prisoners and on the prison and probation services, assessments of suitability for HDC, the extent to which home detention curfews are successfully completed, recalls to prison, the rate of re-offending and the cost effectiveness of the scheme.

We expect results on the first year performance of the scheme to be available in mid-2000.

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his answer of 25 January 1999, *Official Report*, columns 76–78, concerning the home detention welfare provisions of the Crime and Disorder Act 1998, when he proposes to write to the hon. Member for Hertsmere. [70280]

Mr. George Howarth: I wrote to the hon. Member on 8 February. A copy of this letter is in the Library. I will write again to the hon. Member when the remaining information becomes available.

Mr. Clappison. To ask the Secretary of State for the Home Department (1) how many of the prisoners released under the home detention curfew provisions of the Crime and Disorder Act 1998 have been released subject to supervision by a probation officer; [70115]

(2) how many of the prisoners released since 28 January under the home detention curfew provisions of the Crime and Disorder Act 1998 are serving sentences as a result of convictions for offences *(a)* of violence, *(b)* of burglary and *(c)* to which Part 1 of the Sex Offenders Act 1997 applies; [70117]

(3) how many of the prisoners released since 28 January under the home detention curfew provisions of the Crime and Disorder Act 1998 have previous convictions for offences *(a)* of violence, *(b)* of burglary and *(c)* to which Part I of the Sex Offenders Act 1997 applies. [70116]

Mr. George Howarth: The data are not yet available and I will write to the hon. Member when they have been collated.

Departmental Efficiency Gains

Mr. Willis: To ask the Secretary of State for the Home Department what plans he has to express efficiency gains as a percentage of his departmental budget; and if he will make a statement. [69630]

Mr. Straw: My Department's Public Service Agreement (published in the White Paper "Public Services for the Future: Modernisation, Reform, Accountability") includes a target for the Home Office to achieve efficiency improvements of 3 per cent. a year; as well as targets for improvements against total spending on the police and the fire services of 2 per cent. a year, and on the probation service of 4 per cent. a year.

The White Paper describes the range of projects and targets which are in place to achieve these efficiency gains. For example, a Modernisation Programme has been launched which will develop better management, accommodation, personnel and Information Technology systems. Specific targets have been set, or are being developed, for correspondence, telephone response, sickness absence, procurement, processing of immigration casework and a number of other areas.

I have no plans to express these efficiency gains as a percentage of my budget, as this would be misleading in relation to the work that is underway. Rather, the efficiency improvements will be made up of a range of increases in output relative to input, budgetary savings and transfers of existing resources to meet new priorities.

Police Authority Contingency Reserves

Maria Eagle: To ask the Secretary of State for the Home Department what requirements his Department has laid down in respect of the contingency reserves to be kept by police authorities in England; and what guidance his Department provides in relation to the use to which such moneys should be put. [69473]

Mr. Boateng: Section 43 of the Local Government Finance Act 1992 requires Police Authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating their budget requirement. The Chartered Institute of Public Finance and Accountancy (CIPFA) has recently re-issued to police authorities advice in determining the appropriate level of reserves and balances. CIPFA recommends that the level of balances for a Police Authority should be around 2 per cent. to 5 per cent., depending on local circumstances.

The Home Office provides no separate guidance to police authorities on the use to which reserves and balances should be put. The allocation of all resources, including reserves, is entirely a matter for the Chief Constable and the Police Authority.

Casinos

Mr. Fearn: To ask the Secretary of State for the Home Department how many licensed casinos there are in *(a)* England, *(b)* Wales and *(c)* the North West of England. [69377]

Mr. George Howarth: There are 100 licensed casinos in England and 4 in Wales.

16 casinos are in the north west of England, (Lancashire, Greater Manchester and Merseyside; Cumbria and Cheshire have none). One more is due to open in May or June this year.

Amusement Arcades

Mr. Fearn: To ask the Secretary of State for the Home Department how many licensed amusement arcades there are in *(a)* England, *(b)* Wales and *(c)* the North-West of England. [69374]

Mr. George Howarth: The Government do not collect figures on the numbers of amusement arcades.

However, BACTA (the trade association for the amusement machine industry) estimate that there are between 1,800 and 2,000 amusement arcades in Great Britain. They have no geographical breakdown.

Prison Statistics

Mr. Garnier: To ask the Secretary of State for the Home Department how many convicted prisoners are housed in cells designed for two people but housing in excess of that number. [69462]

Mr. George Howarth: No centrally held data are available on the number of convicted prisoners housed in cells designed for two people but housing in excess of that number. This information could be provided only at a disproportionate cost.

The Prison Service does record the numbers of prisoners housed in cells designed for single occupancy but housing two prisoners. Separate figures for convicted or unconvicted prisoners are not available. The average number of prisoners held two to a cell designed for one for the 1998–99 year to December is 12,080. No prisoners have been held three to a cell designed for one since March 1994.

Metropolitan Police (Legal Costs)

Mr. Chope: To ask the Secretary of State for the Home Department in how many cases in each of the last five years the Metropolitan Police has funded in whole or in part the legal costs of serving or former police officers facing criminal charges; and in how many cases funding is still continuing. [69843]

Mr. Boateng *[holding answer 8 February 1999]:* At my request, the Commissioner of Police of the Metropolis is arranging for information about the number of cases there are being funded in the current financial year to be collated, and I will write to the hon. Member when that is available. Relevant information for the previous four years is not recorded centrally and could be obtained only at disproportionate cost. The Commissioner tells me that the Metropolitan Police are currently reviewing their system for recording such information.

Stephen Lawrence

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when he plans to make a statement on the inquiry into the death of Stephen Lawrence. [69342]

Mr. Straw *[holding answer 8 February 1999]:* The Inquiry into the death of Stephen Lawrence is expected to report shortly. I will make a statement when I publish the report.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for the Home Department if he will publish his Department's collation and assessment of responses to all the Government's public consultations. [69777]

Mr. Straw: The Home Office issues public consultation documents from time to time. It usually publishes a synopsis of views when it gives a Government response to such consultation and those views made available in the Library. It would be of disproportionate cost to give a collation and assessment of all such documents.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for the Home Department what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69514]

Mr. Straw: In the non-agency Home Office, the headline pay settlement was 2.7 per cent. on the paybill. Together with the additional funds from staff turnover, staff in post received performance related increases averaging 4 per cent. O.5 per cent. of these increases was staged and will be paid with effect from 1 April 1999.

Back Beat Club Raid

Mr. Flynn: To ask the Secretary of State for the Home Department how much was spent on *(a)* the surveillance operation and *(b)* the raid on the Back Beat Club in December 1998; how many police officers were involved; and what was the value and types of controlled drugs seized. [69311]

Mr. Boateng: This is an operational matter for the Commissioner of Police of the Metropolis. He tells me that a number of people have now been charged following this police operation. As the matter is now before the court, I cannot comment further at this stage on matters which may be material to the case.

General Pinochet

Mrs. Gillan: To ask the Secretary of State for the Home Department for what reasons he was not informed of the contacts on 14 October between the Metropolitan Police and his Department relating to the former's contacts with the 5th Central Magistrate's Court in Madrid; and what was the nature of the information passed on. [70254]

Mr. Straw: I was informed on Friday 16 October of the contacts between the Metropolitan Police and the 5th Central Magistrates Court. These contacts over the period 14–16 October related initially to a request to interview Senator Pinochet. Such requests for interview are, as a matter of routine, executed directly by the police or other law enforcement agencies. Where such requests are made directly to the Home Office they are referred to the police to execute. This was set out in my reply I gave to the hon. Member for Hertsmere (Mr. Clappison), on 27 October 1998, *Official Report*, column *123*.

Disclosure of information that passed between the Metropolitan Police and the 5th Central Magistrate's Court is a matter for the Metropolitan Police.

Mrs. Gillan: To ask the Secretary of State for the Home Department what has been the total cost to date to public funds of the arrest and detention of General Pinochet. [70282]

Mr. Straw: Costs in extradition proceedings are generally treated on a reciprocal basis. In this case, the United Kingdom is responsible for the costs of processing extradition requests made from Spain. In return, Spain is responsible for the costs of processing extradition requests made from the United Kingdom. The costs incurred in police operations are a matter for the Commissioner of Police of the Metropolis, and, in this case, for the Chief Constable of Surrey.

Figures on legal costs are not yet available. The costs of the hearings in the House of Lords have not yet been settled and no costs order will be made until the conclusion of the case.

As of today, the fees of Counsel instructed by the Treasury Solicitor's Department on my behalf are £69,125, of which £18,000 subject to agreement or taxation, is recoverable under a costs order made against Senator Pinochet in the Divisional Court in my favour. As of today, the fees of Counsel instructed by the Treasury Solicitor's Department as amicus curiae are £54,500.

Mrs. Gillan: To ask the Secretary of State for the Home Department who signed the initial warrant for the arrest of General Pinochet; where and at what time; with representatives from which bodies in attendance; with what prior warning to the person who signed the warrant; and at whose request. [70236]

Mr. Straw: The issue of a provisional arrest warrant is a matter for the police and the magistrate. The first provisional arrest warrant was signed by Mr. Nicholas Evans, Metropolitan Stipendiary Magistrate, at his home at around 9–9.30 pm on 16 October 1998. I understand that officers from the Metropolitan Police Extradition Squad and clerks from Bow Street Magistrates' Court were in attendance. The Metropolitan Police applied for the warrant following receipt, via Interpol, of a request for the provisional arrest of Senator Pinochet issued by the fifth Magistrate's Court in Madrid.

Mrs. Gillan: To ask the Secretary of State for the Home Department which body served the arrest warrant for General Pinochet; at what time; with how many people in attendance; and with what armed backup. [70237]

Mr. Straw: The service of the arrest warrant is an operational matter for the Metropolitan Police. The first provisional arrest warrant for Senator Pinochet was served by two officers of the Metropolitan Police Extradition Squad at 11.45pm on 16 October 1998. In attendance were the head of the Metropolitan Police Extradition Unit and another officer; a civilian interpreter; a doctor; and two nurses. There was no armed backup.

Road Deaths (Penalties)

Ms Moran: To ask the Secretary of State for the Home Department if he will introduce a mandatory life ban on driving for those guilty of causing road deaths. [68262]

Mr. Boateng: Disqualification from driving is obligatory where a driver is convicted of causing death by dangerous driving or causing death by careless driving while under the influence of drink or drugs. The period is, however, currently a matter for the courts discretion. The Government keep all penalties under review but have no plans currently to impose a mandatory life ban.

Ministerial Visits

Mr. Greenway: To ask the Secretary of State for the Home Department if he will list the occasions on which he and Ministers in his Department have undertaken overseas visits in the course of their ministerial duties since 1997; and if he will give details of the purpose and duration of each visit. [67746]

Mr. Straw *[pursuant to his reply, 28 January 1999, c. 361–64]:* On closer examination, the list provided contained three inaccuracies. The correct list of Home Office Ministerial visits overseas between 2 May 1997 and 25 January 1999 is now given in the table:

Minister	*Dates*	*Places visited*	*Purpose of visit*
Secretary of State and Joyce Quin	26.5.97 to 27.5.97	Brussels	Justice and Home Affairs Council Meeting
Joyce Quin	9.6.97 to 11.6.97	Prague	Council of Europe Justice Ministers Meeting
Lord Williams of Mostyn	15.9.97 to 19.9.97	Paris, Germany, Oslo	Fact-finding to look at procedures for investigating suspicious deaths, human-rights and community sentences
Alun Michael	16.9.97 to 18.9.97	New York	Visit New York Cares Scheme and New York Police
Joyce Quin	17.9.97	Paris	Debate at Ecole Nationale d'Administration
Joyce Quin	26.9.97 to 28.9.97	Sienna	Pontignano Conference
Secretary of State and Joyce Quin	9.10.97 to 10.10.97	Luxembourg	Informal Justice and Home Affairs Council
Joyce Quin	20.10.97 to 21.10.97	Strasbourg	Meeting with MEPs prior to UK Presidency
Secretary of State	20.10.97 to 21.10.97	Paris	Meetings with French Interior Minister and Minister of Justice
Joyce Quin	4.11.97 to 6.11.97	Stockholm	Studying of tagging and prison organisation
Alun Michael	16.11.97 to 17.11.97	The Hague	To present European Crime Prevention Awards and visit juvenile delinquents computer system and day training centre
Joyce Quin	3.12.97 to 5.12.97	Brussels	Justice and Home Affairs Council
Secretary of State	4.12.97 to 5.12.97	Brussels	Justice and Home Affairs Council
Alun Michael	5.12.97 to 8.12.97	Bosnia	To visit British Police serving in Bosnia
Secretary of State	9.12.97 to 10.12.97	Washington	G8 Meeting on Organised Crime

Minister	*Dates*	*Places visited*	*Purpose of visit*
Mike O'Brien	18.12.97 to 19.12.97	Luxembourg	Conference on European Year Against Racism
Mike O'Brien	4.1.98 to 14.1.98	Pakistan, India, Bangladesh	To observe entry clearance posts
Secretary of State	13.1.98 to 14.1.98	Madrid	Meetings with the Spanish Minister of the Interior and Minister of Justice
Secretary of State	26.1.98	Brussels	Meetings with the European Parliament Civil Liberties Committee, the EPLP and the ELDR
Joyce Quin	28.1.98	Brussels	To address the European Presidency Racism and Xenophobia Debate
Secretary of State	4.2.98 to 6.2.98	Washington, USA	Accompanying Prime Minister: Meetings with National Institute of Justice, Baltimore Police Department, Department of Justice and Attorney General Reno
Mike O'Brien	10.2.98 to 11.2.98	Brussels	To attend the 'Lets Kick Racism Out of Football' seminar
Lord Williams of Mostyn	15.2.98 to 16.2.98	Paris	To address the OECD Workshop on Global Network Society
Secretary of State and Joyce Quin	18.3.98 to 19.3.98	Brussels	To attend Justice and Home Affairs Council Meeting
Lord Williams of Mostyn	21.3.98 to 25.3.98	Thailand	To launch a UK funded course on Child Sex Exploitation
Joyce Quin	26.3.98	Amsterdam	To address the Dutch Probation Conference
Joyce Quin	8.4.98 to 9.4.98	Prague	To discuss EU enlargement
Joyce Quin	16.4.98 to 17.4.98	Warsaw	To discuss EU enlargement
Joyce Quin	21.4.98 to 22.4.98	Vienna	To address the UN Crime Commission
Joyce Quin	28.4.98 to 1.5.98	Budapest	To discuss EU enlargement
Secretary of State	14.5.98	Vienna	Meetings with the Austrian Interior Minister and Minister of Justice
Lord Williams of Mostyn	26.5.98 to 27.5.98	Milan	To visit the European Centre for the Validation of Alternative Methods (ECVAM)
Secretary of State and Joyce Quin	27.5.98 to 29.5.98	Brussels	To attend the Justice and Home Affairs Council meeting
George Howarth	7.6.98 to 10.6.98	New York	To attend the UN Special Session on Drugs
Joyce Quin	29.6.98 to 30.6.98	Brussels	To address the European Presidency Civil Liberties and Legal Affairs Committee
George Howarth	30.6.98	Brussels	To address a meeting of the EU Civil Liberties and Internal Affairs Committees
Secretary of State and Kate Hoey	23.9.98 to 24.9.98	Brussels	To attend Justice and Home Affairs Council meeting
Secretary of State	15.10.98 to 16.10.98	Avignon	To attend and address a seminar on Family Law and Organised Crime
Kate Hoey	28.10.98 to 30.10.98	Vienna	Informal Justice and Home Affairs Council
Mike O'Brien	3.11.98 to 6.11.98	Ethiopia and Nigeria	To attend entry clearance conference and observe entry clearance posts
Kate Hoey	4.11.98 to 5.11.98	Strasbourg	Council of Europe Ministers meeting on tackling organised crime
Secretary of State and Kate Hoey	2.12.98 to 4.12.98	Brussels	To attend Justice and Home Affairs Council meeting
Kate Hoey	6.12.98 to 8.12.98	Budapest	Visit to firm up co-operation on organised crime following successful bid for twinning project
Mike O'Brien	11.1.98 to 15.1.98	Slovakia, Czech Republic and Poland	Meetings with Government Ministers regarding asylum seekers
Secretary of State	27.1.99	Strasbourg	To visit the European Court of Human Rights

ENVIRONMENT, TRANSPORT AND THE REGIONS

Planning

14. **Mr. Hopkins:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his plans for the reform of the planning system. [68277]

Mr. Caborn: The statement "Modernising Planning", published in January 1998, set out a comprehensive agenda for action to improve the operation of the planning system at European, national, regional and local levels. Following consultation, changes are now being implemented. I propose to publish a report on progress shortly.

Urban Design

15. **Mr. Gapes:** To ask the Secretary of State for the Environment, Transport and the Regions what action the Government are taking to improve the quality of urban design. [68278]

Mr. Caborn: The Government take every opportunity to encourage higher standards of urban design and will be considering what further measures might be appropriate when the Urban Task Force reports in the early Summer. In the meantime, the Government are encouraging good design by publishing good practice guidance, including: "Places, Streets and Movement", a companion guide to "Design Bulletin 32", published last autumn, which aims to improve the design of housing layouts; and a more general "Good Practice Guide on Design in the Planning

System", which we expect to publish in the Spring. In addition, design competitions were held for the Millennium Villages in Greenwich and Allerton Bywater, which demonstrate the Government's commitment to encouraging better quality development.

Air Freight (Regional Airports)

16. **Ms Osborne:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to promote air freight trade at regional airports. [68279]

Ms Glenda Jackson: In "A New Deal for Transport", the Government said that they would encourage the growth of regional airports to meet local demand. This applies to both passenger and cargo traffic. My Department has just commissioned a study to improve our knowledge of the UK freight industry and the ways in which Government action could support it.

Capping

18. **Jackie Ballard:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his plans to cap local authority budgets in 1999–2000. [68281]

Ms Armstrong: As promised in our Manifesto we have abolished crude and universal capping. We will decide whether there is any need to use our capping powers once authorities have set their budgets.

Crossrail

19. **Jane Griffiths:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the proposal by a consortium of local authorities, led by the Corporation of London, to achieve a private finance initiative for the Crossrail project. [68282]

Ms Glenda Jackson: Representatives of the Corporation of London told my officials last summer that there is interest in the City in investing in Crossrail. My officials asked the Corporation to invite those willing to invest in the project to approach the Department. We have heard nothing about this since.

Birmingham Northern Relief Road

20. **Mr. Jenkins:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of re-routing traffic from the M6 and M42 to the Birmingham northern relief road. [68283]

Dr. Reid: Assessments of the impacts of the Birmingham Northern Relief Road are set out in the Department's Evidence and Environmental Impact Assessment Statement presented to Public Inquiries held into the proposals during 1994 and 1995.

Council Tax Benefit Subsidy

21. **Mr. Watts:** To ask the Secretary of State for the Environment, Transport and the Regions if he will postpone the implementation of proposals to limit the payment of council tax benefit subsidy in 1999–2000 to allow for consultation on the impact of its introduction. [68284]

Ms Armstrong: We have consulted fully on our proposals. There is no reason to delay introduction of the scheme.

Leisure and Tourism

22. **Mr. McNulty:** To ask the Secretary of State for the Environment, Transport and the Regions what research his Department is undertaking on planning for leisure and tourism. [68285]

Mr. Caborn: A research project on Planning for Leisure and Tourism is currently being undertaken for my Department. It is looking at how planning policy guidance for England could best facilitate leisure and tourism developments whilst achieving more sustainable patterns of development and travel. The final report is expected in July.

Fishing Vessel Accidents

25. **Dr. Godman:** To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the findings of the consultations he undertook concerning the consultative document "Fishing Vessel Accidents and the Recovery of Those Lost at Sea". [68288]

Ms Glenda Jackson: I have today published an analysis of the responses made to the consultation paper. A copy has been placed in the Library of the House. The Government's response to the consultation exercise will be published in due course.

SSAs (West Sussex)

27. **Mr. Flight:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the revision of standard spending assessments for West Sussex county council. [68290]

Mr. Raynsford: The Standard Spending Assessment for West Sussex County Council for 1999–2000 is £464.8 million, an increase of 3.7 per cent. from the previous year.

Planning Fees

28. **Mr. St. Aubyn:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the level of planning fees. [68291]

Mr. Raynsford: The Government's aim has been to raise planning fees gradually over a number of years until they enabled 100 per cent. recovery of local authorities' total estimated costs of determining planning applications. The two fee increases introduced in 1997 have brought us to this point and we have no immediate plans to raise fee levels. However, in the context of Best Value, my officials are currently working with the Planning Officers' Society on more systematic ways of measuring planning costs. This work may form the basis of a revision of planning fees in due course.

Passenger Rail Services

29. **Ms Squire:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to enhance the reliability and quality of passenger rail services. [68292]

Ms Glenda Jackson: A National Rail Summit will be held on 25 February to build upon the short-term measures agreed with franchisees and Railtrack last November and to kick start a long-term effort to improve standards across the railway network. We will be looking to the rail industry to demonstrate at the Summit how they propose to deliver year-on-year improvements in performance.

North West Regional Development Agency

30. **Mr. Campbell-Savours:** To ask the Secretary of State for the Environment, Transport and the Regions when he next intends to meet the members of the North West Regional Development Agency to discuss arrangements between sub-regional structures and the region. [68293]

Mr. Caborn: I plan to meet the North West Regional Development Agency Board within the next few weeks.

Urban Renaissance

31. **Sir Sydney Chapman:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the urban renaissance report produced by the urban task force. [68294]

Mr. Caborn: An urban renaissance is vital in order to improve city environments and to tackle the problems of social exclusion. I welcome the Urban Task Force's Halfway Report 'Urban Renaissance'. The report shows that the Task Force's consultation exercise has gathered valuable contributions from a wide range of sources. This gives assurance that the Task Force's final recommendations will have a sound base. The Task Force will produce their final report and recommendations to the Deputy Prime Minister in the early summer.

Public Transport (Derbyshire)

32. **Mr. Todd:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to improve access to public transport in rural parts of Derbyshire. [68295]

Dr. Reid: We have already allocated just over £1.5 million for improved bus services in rural Derbyshire as part of the additional funding for rural transport of £50 million announced by my right hon. Friend the Chancellor in his last budget. Over half of Derbyshire's allocation will be used to fund the Southern Derbyshire Rural Access Initiative, a scheme aimed at improving transport links to help combat social exclusion in rural areas. There will be further allocations in future financial years. In addition, £600,000 has been allocated to Derbyshire for rural and non-package minor works in the local transport capital settlement for 1999–2000.

Rail Services (Northampton)

33. **Ms Keeble:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the west coast main line upgrade on rail services to Northampton. [68296]

Ms Glenda Jackson: None. I understand that Railtrack is shortly to provide the Rail Regulator and the Franchising Director with a report on its Strategic Review of services between London and Northampton. The Review will identify options for meeting future demand and improving services.

As part of his assessment of the type and level of services the network should provide, the Franchising Director, acting as part of the shadow SRA, will consider the options identified by Railtrack against the planning criteria already approved by Ministers. A report to Ministers is expected during the second half of the year.

London Borough Councils (Elections)

34. **Mr. Wilkinson:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for annual elections to borough councils in London. [68297]

Mr. Raynsford: The Government's White Paper, "Modern Local Government—In Touch with the People" (Cm 4104) sets out our policy for more frequent elections for councils, including for London boroughs which would have elections by thirds in each of the years between elections to the Greater London Authority.

Buses

35. **Mr. Rapson:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the role of buses in the integrated transport policy. [68298]

Ms Glenda Jackson: Our Transport White Paper last year made it clear that we see buses as having a central role in an integrated transport policy, with a renewed emphasis on quality services meeting passengers' needs. We shall be issuing a further paper shortly setting out our proposals in more detail.

Waterways (Freight Transport)

36. **Mr. Hinchliffe:** To ask the Secretary of State for the Environment, Transport and the Regions if he intends to introduce targets for the increased use of waterways for freight transport. [68299]

Ms Glenda Jackson: The Government are committed to encouraging greater use of inland waterways, and will be re-examining the rules of the freight grant scheme with a view to increasing the number of applications for inland waterways projects. There has been a significant increase in the 1998–99 budget. However, as the scheme is demand-led it is not possible to set meaningful targets.

Planning Enforcement

37. **Helen Jackson:** To ask the Secretary of State for the Environment, Transport and the Regions what action the Government have taken to encourage the dissemination of good practice on planning enforcement. [68300]

Mr. Raynsford: The Government have encouraged good practice on planning enforcement by publishing "Enforcing Planning Control: Good Practice Guide for Local Planning Authorities", in July 1997. The Guide covers good practice on investigation, negotiation and formal action, illustrated by actual cases. A copy of the Guide is available in the Library.

Pension Funds (Bus Employees)

38. **Mr. Bob Russell:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the return of the bus employees superannuation trust pension funds to its members. [68301]

Ms Glenda Jackson: I refer the hon. Member to the answer given to him on 12 January 1999, *Official Report*, column *167*.

Company Cars

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions what measures the Government plan to take to reduce excessive mileage by company cars. [68289]

Dr. Reid: I refer to the answer I gave earlier to the hon. Member for Carshalton and Wallington (Mr. Brake) today, *Official Report*, column 117.

Disruptive Passengers (Airlines)

Mr. McCabe: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with airlines regarding problems caused by disruptive passengers. [68280]

Dr. Reid: On 25 November 1998 I held a meeting with representatives of the airline industry, and other interested organisations to discuss ways in which the problem of disruptive behaviour by airline passengers could be addressed. As a result a working group was established to consider ways of gaining reliable data about the number of incidents of disruptive behaviour and to consider the need for research into their causes. Its first meeting was on 1 February.

PPG 13

Mr. Bennett: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish planning policy guidance No.13 on transport. [68286]

Mr. Raynsford: The draft consultation PPG 13 will be published in the summer.

Trunk Roads

Mr. Ruffley: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding levels of public spending on trunk roads. [68287]

Dr. Reid: We have had, and continue to have, many representations regarding the levels of public spending on trunk roads—some arguing for more expenditure, others for less.

Integrated Transport

Mr. Gummer: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the proposals in his Integrated Transport White Paper which *(a)* require primary legislation, *(b)* require secondary legislation and *(c)* can be implemented under current legislation. [66044]

Dr. Reid: The great majority of the proposals can be implemented under current legislation. I have today written to the right hon. Member with details of the proposals in all three categories, and have placed a copy of the letter in the Library of the House.

Bull Bars

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to announce his conclusions following the consultation on bull bars. [69407]

Ms Glenda Jackson: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Newport, West (Mr. Flynn) on 8 February 1999, *Official Report*, column *8*.

National Air Traffic Services

Mr. Colvin: To ask the Secretary of State for the Environment, Transport and the Regions how many meetings his Department's Ministers have had with National Air Traffic Services since May 1997 in connection with NATS' investment programme and commercial future; and what plans they have to consult United Kingdom airline representatives before any policy decision is taken. [69474]

Dr. Reid: Ministers have had 16 meetings with NATS since May 1997. These meetings covered a broad range of topics including the company's investment programme and commercial future. The Government issued a consultation paper on the future of NATS in October 1998. Airlines were invited to comment; and a number of them have done so.

Contaminated Metals

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 21 January 1999, *Official Report*, column *562*, if he will make a statement on the five incidents involving interception of illegally imported radioactive contaminated metals; when and where the metals were discovered; what their origin was; and what steps have been taken to prosecute those responsible. [69628]

Mr. Meale: The five cases referred to in my answer of 21 January are:

Date	*Location discovered*	*Origin*
July 1997	Willenhall	Possibly Russia
July 1997	Sheffield	Probably Russia
September 1997	Sheffield	Probably South Africa
July 1998	Sheffield	Georgia
August 1998	Hathersage, N. Derbyshire	Probably Russia

The people discovering the above incidents in the United Kingdom are not considered to be at fault; they acted very responsibly in declaring an inadvertent importation of radioactive materials, to the Environment Agency. They could not have known about the radioactive content before receipt. Therefore no enforcement action has been taken in the UK. No information is available about what action was taken overseas.

The assistance of the metals industries in protecting the environment and the public from the potential consequences of such incidents is welcomed. The Environment Agency works with overseas enforcement authorities, by exchanging information via the National Criminal Intelligence Service (NCIS) and INTERPOL, to help them pursue regulatory investigations in the countries of origin.

Local Government Finance

Mr. Watts: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* for the 50 local authorities with the highest and *(b)* for the 50 local authorities with the lowest dependency on council tax benefit, the proportion of actual 1998–99 council tax that was funded by council tax benefit; and if he will make the information available to local authorities in electronic form. [69364]

Ms Armstrong: The actual proportion of council tax in 1998–99 funded by council tax benefit will not be available until later this year when local authorities have finalised their financial accounts for 1998–99. However, I have placed in the Library of the House, two tables which show for the authorities requested, the proportion of council tax yield to be funded by council tax benefit which is consistent with the budgets and council taxes set by local authorities for 1998–99. The information is also consistent with data to be used in the Council Tax Benefit Subsidy Limitation Scheme for 1999–2000 and will be made available to local authorities on the Department's Internet site.

Mr. Webb: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate for the most recent year for which figures are available *(a)* the total amount paid in business rates in South Gloucestershire and *(b)* the amount received by South Gloucestershire Council from central Government out of the total yield of business rates. [69475]

Ms Armstrong: The authority calculated £44.7 million to be its provisional contribution to the rating pool for 1998–99 as a result of collecting business rates from the businesses in its area, and it will receive £55.4 million back from central Government as its share of the distributable amount of non-domestic rates. In 1999–2000, the latter figure will rise to £60.9 million; estimates of the former figure are not yet available.

Biosafety Protocol

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions which ministers will be attending, and what position the Government will be advocating, at the forthcoming meeting in Colombia to discuss the Biosafety Protocol. [69821]

Mr. Meacher *[holding answer 8 February 1999]:* The Government are eager to ensure that the final meeting of the Open-ended Ad hoc Working Group on Biosafety developing the Biosafety Protocol reaches a successful conclusion. I refer the hon. Member to replies given to the hon. Member for Hazel Grove (Mr. Stunell) on 19 January 1999, *Official Report*, column *446*, that set out the Government's position on commodities, liability and redress and socio-economic considerations.

We believe the scope of the protocol should be broad, covering all transboundary movements of LMOs resulting from modern biotechnology which may have an adverse effect on the conservation and sustainable use of biological diversity, taking also into account risks to human health, with a mechanism for granting exemptions.

The UK believes that the Protocol should refer to the precautionary principle. The EU has proposed its inclusion in the preamble to, and in the objectives of the Protocol.

On AIA procedures, our aim is to establish a predictable, science-based and transparent regime which establishes controls proportionate to the risks.

We will argue strongly for the inclusion of provisions requiring the exporter to indicate, either through labelling or accompanying documentation, whether the movement/shipment contains LMOs. This will also help to show that a movement is in conformity with the Protocol and will provide transparency and openness on LMOs.

It is clear that Parties must have or develop the capacities to be able to make informed decisions about proposed transboundary movements. We therefore believe that the protocol should reflect the need for the strengthening of human and institutional capacities.

We will, alongside our European partners, seek in negotiations to obtain an instrument that provides the necessary environmental safeguards without hampering trade. We would be against any provision that could be taken as a subordination to other international agreements. In our view agreements should be regarded as being of equal standing and treated in a complementary manner.

No UK Ministers will be present at the meeting.

Water Abstraction

Mr. Colvin: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish his final proposals for reforms to the water abstraction licensing systems for England and Wales following his consultation paper of June 1998. [R] [69999]

Mr. Meale: The Government will publish their decisions on the reform of the water abstraction licensing system in England and Wales within the next few weeks.

Foreign Goods Vehicles

Mr. Gale: To ask the Secretary of State for the Environment, Transport and the Regions what proposals his Department has to restrict the use, in the United Kingdom, of foreign and EU trucks running 11.5 tonne axles in a 4X2 configuration. [69270]

Ms Glenda Jackson *[holding answer 8 February 1999]:* Other than the application of local weight restrictions the Department has no proposals to restrict the use of vehicles running with 11.5 tonne axles in a 4X2 configuration. From 1 January this year vehicles operating with that configuration and at that weight, of all nationalities, are permitted in the UK.

Packaging Waste

Mr. Truswell: To ask the Secretary of State for the Environment, Transport and the Regions which businesses operating in Pudsey constituency are subject to the Producer Responsibility Obligations (Packaging Waste) Regulations 1997; what monitoring has taken place to assess their compliance; and what was the outcome of such monitoring. [70204]

Mr. Meale: I understand that Environment Agency records indicate that there are 10 companies within the constituency of Pudsey which are obligated under the Producer Responsibility Obligations (Packaging Waste) Regulations 1997. The 10 obligated companies are members of the Valpak compliance scheme. During 1998, the Environment Agency concentrated its monitoring efforts on those businesses which had failed to register and, those which were individually registered. None of the above companies fell into either of these categories.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for the Environment, Transport and the Regions what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69517]

Mr. Prescott: The headline pay settlement was 2.55 per cent. on the paybill, and together with some of the additional funds from staff turnover, staff-in-post received performance-related increases averaging 3.7 per cent. On top of this, some staff benefited from a number of restructuring changes which brought total average earnings growth to 5.3 per cent. The increases were not staged but were implemented in 2 phases, both backdated to 1 August 1998.

Planning (Streamlining)

Mr. Connarty: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on proposed changes to speed up the preparation and adoption of local plans and urban development plans. [68267]

Mr. Raynsford: As part of the Government's agenda to modernise the planning system, we published a consultation paper last year outlining proposals to improve the arrangements for the delivery of local plans and UDPs. We intend to take those proposals forward. A full revision of PPG12 on development plans will be issued for public consultation shortly.

Razor Wire

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to bring the use of razor wire in non-military establishments under the jurisdiction of the planning authorities. [70243]

Mr. Raynsford: It is for local planning authorities to decide whether the use of razor wire in particular cases constitutes development requiring planning permission. In some circumstances, development involving the use of razor wire may be carried out in the exercise of permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995. In such cases, it would be for the local planning authority to consider whether to withdraw those permitted development rights by giving a direction under article 4 of the Order. However, we advise in Circular 9/95 that permitted development rights should be withdrawn only in exceptional circumstances.

Housing (North-West)

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the capital receipt initiative on the availability of housing in the North West region. [68517]

Mr. Raynsford: The forty three housing authorities in the North West received a total of £101 million under the Capital Receipts Initiative (CRI) in 1997–98 and 1998–99 (£22.4 million and £78.6 million respectively). Returns from authorities show that over the two years around 70 per cent. of the resources are being used to refurbish and improve Council housing stock. The remaining resources are supporting Registered Social Landlord activity, including provision of new units, through Local Authority Social Housing Grant (9 per cent.), renovation grants and home repair activity in the private section (15 per cent.) and other housing-related regeneration activity (6 per cent.). The North West's total CRI allocation for 1999–2000 is £78.6 million.

Public Interest Immunity

Mr. Webb: To ask the Secretary of State for the Environment, Transport and the Regions what provisions govern the use of public interest immunity certificates by his Department; and to what extent these relate to files held by local authorities. [70226]

Mr. Meale: The principles governing public interest immunity certificates for documents in my Department's possession are those mentioned in the Attorney-General's written answer to a question by my hon. Friend the Member for Croydon, Central (Mr. Davies) on 11 July 1997, *Official Report*, column *616*. It is for local authorities to decide, applying established legal principles, whether to make claims in respect of files which they hold. In all cases, a claim to public interest immunity is subject to the Court's supervision.

SSA (Oldham)

Mr. Woolas: To ask the Secretary of State for the Environment, Transport and the Regions what consideration he has given to changing the sites of measurement for snow days in calculating the standard spending assessment for Oldham Metropolitan Borough Council. [68378]

Ms Armstrong: We considered the proposals put forward by Oldham Metropolitan Borough Council for changing the weather stations whose records are used in the calculation of their Standard Spending Assessment.

We concluded that, if the weather stations were to be reconsidered, it should be done on a basis that dealt with all local authorities consistently, with the benefit of meteorological advice.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport what representations have been received by the NMEC concerning food at the Dome. [67270]

Janet Anderson: A small number of representations have been made about food and catering at the Dome, in addition to those received from potential caterers and suppliers.

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if the Millennium Dome will contain a display or other information on biotechnology. [67483]

Janet Anderson *[holding answer 25 January 1999]:* The New Millennium Experience Company (NMEC) is seeking to ensure that as many aspects of science and technology as possible are reflected in the Millennium Experience at the Dome.

BBC Transmission

Mrs. Ellman: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the BBC on the standards of transmission quality; and if he will make a statement. [68305]

Janet Anderson: There have been no such discussions. The BBC is responsible for the transmission of its television services and for ensuring that standards of transmission quality in terms of picture and sound are maintained, as far as is reasonably practicable.

I know of particular concern about the transmission of programmes in widescreen format which results in the appearance of black bands above and below the picture on conventional television receivers. I understand the BBC minimises the size of the bands where possible, in order to strike a balance between delivering improved services offered by new technology and continuing to meet the needs of viewers using conventional systems.

Olympic Bid (London)

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport what discussions he has had in respect of a bid by London to host the 2012 Olympic Games. [68187]

Mr. Banks: I have regular contact with the British Olympic Association, who have to submit UK bids for the Olympic Games. With my support, they are currently conducting comprehensive studies on what is already in place and what needs to be in place to mount a winnable London bid. Following these studies, and taking into account recent developments within the IOC, a decision will be taken on whether to bid for the 2012 Games.

Whilst I am one of the strongest supporters of a top quality bid at the earliest opportunity, I have made it clear to the BOA that Government support will also depend on the introduction by the IOC of a bidding system which is seen to be transparent, honest and can enjoy the confidence of all bidding cities as well as the entire Olympic movement itself. I have stressed this position to Mr. Samaranch, President of the IOC.

Departmental Papers (Access for Visually Impaired)

Mr. Michael J. Foster: To ask the Secretary of State for Culture, Media and Sport what plans he has for departmental *(a)* White and *(b)* Green Papers to be made available on floppy disk format in a form which facilitates access for the visually impaired. [67844]

Mr. Banks: I refer my hon. Friend to the reply given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 27 January 1999, *Official Report*, column 296.

My Department has produced White and Green Papers in both Braille and large print and would be happy to make the texts of documents available in floppy disk format on request.

Sport (Women)

Mr. Michael J. Foster: To ask the Secretary of State for Culture, Media and Sport what research his Department has *(a)* commissioned and *(b)* evaluated into the benefits to young women and girls of participating in sport. [65077]

Mr. Banks: Whilst this Department has not carried out specific research, the English Sports Council (ESC), through which central Government funding for sport is channelled, undertakes a range of activities aimed at promoting the benefits of sport and encouraging more women into sport. The ESC will be carrying out its Young People and Sport Survey later this year. The survey will focus on the participation rates of girls in sport.

The Government remain determined to increase the opportunities for women in sport at all levels. We shall continue to work closely with the Sports Councils and others to make progress on this issue and will look closely at women in sport as part of our Strategy for Sport, due to be published in the Summer.

I have had useful discussions with a number of groups to discuss women and sport, including the Womens Sports Foundation and have valued proposals about how the Government can do more for women in sport. I shall be meeting shortly with my right hon. Friend the Minister for Women to discuss this.

Tobacco Sponsorship

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport (1) how many meetings have taken place with the group established to examine alternative funding to tobacco sponsorship in sport in the last 12 months; and if he will list the dates of these meetings; [68452]

(2) what progress has been made so far with the group established to examine alternative funding to tobacco sponsorship in sport. [68453]

Mr. Banks *[holding answer 1 February 1999]:* We have made significant progress with the Task Force. Having negotiated the necessary lead time for the sports to adjust, seven have sought our assistance to make the transition—rugby league, clay pigeon shooting, billiards and snooker, pool, darts, ice-hockey and angling. We have been in contact with the sports since the announcement in November 1997 and the expert group first met informally on 19 June 1998. Following this meeting, we sought detailed information on the sports' existing sponsorships, and what commercial benefits they can offer new sponsors, in order to assess their needs and how a Task Force could help. We completed this stage of the exercise before Christmas and the group met again on 10 December 1998. Since then members of the Task Force have held individual meetings with the sports on the following dates:

Clay Pigeon Shooting Association: 18 January 1999

Rugby Football League: 19 January 1999

English Pool Association: 21 January 1999

National Federation of Anglers: 21 January 1999

Ice Hockey Superleague Ltd.: 25 January 1999

World Professional Snooker & Billiards Association: 27 January 1999

British Darts Organisation: 29 January 1999.

I am pleased to confirm these meetings have been very positive. The sports recognise our determination to end the totally inappropriate links with smoking in a way that minimises the impact on them, and are working with us to help them establish new commercial relationships that can be sustained. The group will meet again shortly to consider the nature and timing of help needed to replace existing contracts, many of which have several years to run. We will also consider the frequency of further meetings this year. I will keep the House advised of all significant developments.

Sporting Ambassadors

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport if he will list *(a)* the people who have been made sporting ambassadors since May 1997, *(b)* the sporting ambassadors still in post, *(c)* how many official visits they have mad[illegible]*d)* where they made official visits. [69100]

Mr. Banks *[holding answer 8 February 1999]:* The Sporting Ambassadors Scheme was successfully piloted in four English Sports Council (ESC) regions in 1997. It involved 37 schools, of which 23 were primary; 11 were secondary; two were special and one was a community college.

The pilot phase involved a total of 18 Ambassadors representing 15 different sports. The Ambassadors were as follows:

	Sport
Allison Curbishley	Athletics
Arnie Sidebottom	Cricket
Chris Leonard	Rowing
Danielle Sanderson	Athletics
Dave Rice	Athletics
Eve Miller	Athletics
Jill Atkins	Hockey
Jo Durie	Tennis
Joe Lydon	Rugby League
Kenneth Churchill	Paralympic Athlete
Kevan Baker	Paralympic Athlete
Liz Talbot	Athletics
Mick Hill	Athletics
Mike McFarlane	Athletics
Paula Blank	Athletics
Samantha Adamson	Athletics
Steve Sylvester	Cricket
Sue Rolph	Swimming

Around 2,110 pupils attended school assemblies, awards ceremonies or question and answer sessions involving a Sporting Ambassador. A total of 1,567 pupils also enjoyed first hand contact with Ambassadors through coaching or participation. Feedback from the pilot stage suggested that most benefit was gained when the Sporting Ambassadors lived locally, could be seen out training and who could identify with the school and pupils.

The Sporting Ambassadors Scheme is now being rolled out on a national basis and the English Sports Council aims to set up 10 visits in each of the 10 Sports Council regions. These visits are currently being set up and will take place during the spring and summer school terms.

A list of the sportsmen and women who have agreed to become Sporting Ambassadors as at 5 February is as follows. In addition, Rob Andrew MBE, Tanni Grey MBE and Denise Lewis MBE are the lead Ambassadors and will work with the ESC to promote the scheme and forge links with sport.

	Sport
Kendra Slawinski OBE	Netball
Katy Roberts	Hockey
Mark Palmer*	Paralympics
Isabel Newstead	Paralympics
Danielle Sanderson	Athletics
Joanne Goode	Athletics
Paula Blank	Athletics
Julian Halls	Hockey
Fleur Horner	Rounders
Sarah Price	Swimming
Karen Pickering MBE	Swimming
Donna Kellogg	Badminton
Eleanor Harvey	Rounders
Paula Radcliffe	Athletics
Jo Mould	Hockey
Emma Shepherd	Rounders
Linzi William	Rounders
Karen Frape	Rounders
Ian Harrison	Paralympics
Joanne Davies	Badminton
Colin North	Cricket
James Brindle	Cricket
Thomas Evans	Paralympics
Paul Ratcliffe	Canoeing
Tim Brabants	Canoeing
Rachel Crosbee	Canoeing
Ian Raspin	Canoeing
Heather Corrie	Canoeing
Tim Reddish	Paralympics
Clare Ryan	Rounders
Julian Golding	Athletics
Billy Waugh	Hockey
Nick Thompson	Hockey
Kelly Holmes MBE	Athletics
Debbie Bampton MBE	Football
Richard Nerurkar	Athletics
Julia Mann	Badminton
Anna Hemmings	Canoeing
Tricia Davey	Canoeing
Joanne Zinzan	Netball
Paula Woods	Swimming
Jenny Hunter	Swimming
Kathy Osher	Swimming
Donna Fraser	Athletics
Lorna Boothe	Athletics
James Clark	Canoeing
Stephen Harris	Canoeing
Rebecca Train	Canoeing
Ivan Lawler	Canoeing

	Sport
Karen Brown	Hockey
Tanya Woodward	Badminton
Deborah Keeley	Ice Skating
Ken Churchill	Paralympics
Emma Haworth	Rounders
Nicola Simms	Rounders
Martyn Smith	Gymnastics
Dominic Flood	Fencing
Mark Flores	Gymnastics
Scott Holmes	Triathlete
Graeme Storm	Golf
Gayle Adamson	Swimming
John Quinn	Badminton
Stephen Miller	Paralympics
Kirsty Wade	Athletics
Hazel Robson	Athletics
Graham Ratcliffe	Mountaineering
Alan Hinkes	Mountaineering
Allyn Condon	Athletics
Robert Crutchley	Hockey
Vicki Horner	Swimming
Colin Haughton	Badminton
Steve Shaw	Paralympics
Angela Jones	Rounders
Helen Don-Duncan	Swimming
Sara Sankey	Badminton
Rob Anderson	Paralympics
Jeanette Chippington	Paralympics
Steven Sylvester	Cricket
Paul Morris	Gymnastics
John Shaw	Hockey
Steve Redgrave CBE	Rowing
Anthony Downs	Paralympics
Sion Brinn	Swimming
Neil Willey	Swimming
Paul Palmer	Swimming
Mark Stevens	Swimming
Jo Jackson	Paralympics
Rebecca Pantaney	Badminton
Allison Curbishley	Athletics
Lucy Newcombe	Hockey
David Hempleman-Adams	Mountaineer
Katherine Merry	Athletics
Sarah Blanks	Hockey
Janet Mcmorran	Paralympics
Rachel Dunn	Rounders
Nigel Capewell	Paralympics
Alan Ash	Paralympics
Lorraine Cole	Badminton
Adam Ruckwood	Swimming
David Byas	Cricket
Daniel Cook	Rugby Union
Arnie Sidebottom	Cricket
Joe Lydon	Rugby League
Meghan Fenoughty	Rounders
Suzzana Thorpe	Rounders
Graham Nash	Hockey
Dean Thomas	Paralympics
Kevan Baker	Paralympics
Ian Wilson	Swimming
Linda Hindmarsh	Swimming
Clare Taylor	Cricket, Football, Hockey

WALES

New Deal

Mr. Edwards: To ask the Secretary of State for Wales what projects have been approved under the New Deal for Communities Programme in Wales. [69274]

Mr. Hain: None. New Deal for Communities is an England-only Programme run by DETR. The parallel Welsh Programme is "People in Communities" and its eight demonstration projects are:

Gurnos and Galon Uchaf—Merthyr Tydfil

Duffryn—Newport

Blaenymaes and Portmead—Swansea

Penlwys Estate—Conwy

Southsea and Brynteg—Wrexham

Rhiwgarn Estate, Trebanog—Rhondda, Cynon, Taff

Rhymney—Caerphilly

Deiniolen, Dinorwig and Clwt Y Bont—Gwynedd.

In future this will become the responsibility of the National Assembly.

Hospitality

Mr. Swayne: To ask the Secretary of State for Wales how much his Department has spent on hospitality in each of the last five years. [69216]

Mr. Michael: Welsh Office expenditure on hospitality for the last five years is as follows:

	£000
1993–94	27
1994–95	29
1995–96	22
1996–97	21
1997–98	15

In future this will become the responsibility of the National Assembly.

Genetically Modified Foods

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the food industry relating to genetically modified foods; and if he will make a statement. [69544]

Mr. Jon Owen Jones: My right hon. Friend and I have had no such discussions. The Government's policy in respect of genetically modified food is based on ensuring the protection of public health and the provision of adequate labelling for consumers.

In future, the safety and labelling of genetically modified foods will be a matter for the National Assembly.

Primary Care Groups

Mr. Barry Jones: To ask the Secretary of State for Wales how many primary care groups he plans to establish in Wales. [69547]

Mr. Jon Owen Jones: There will be 22 Local Health Groups in Wales, covering areas which are broadly coterminous with Local Authority boundaries.

In future this will become the responsibility of the National Assembly.

Regeneration Programmes

Mr. Llew Smith: To ask the Secretary of State for Wales if he will make a statement on plans for the regeneration of former industrial sites in Wales; and what consultation takes place with local communities in the development of regeneration programmes. [69590]

Mr. Jon Owen Jones: The Welsh Development Agency's highly successful Land Reclamation Programme is progressively removing the remaining scars on the Welsh landscape. Since 1976, over £300 million has been spent on reclaiming some 18,000 acres of land and the Agency plans to spend £18 million in the current financial year reclaiming a further 370 hectares of land. Sites currently being reclaimed include the former British Coal Workshops in Tredegar.

The Programme is being developed in conjunction with local authorities who consult with the local community during the planning process. The Agency also consults local communities direct on a wide range of community-based regeneration programmes such as the Slate Valley's Initiative in North Wales. More generally, I welcome the fact that working more closely with local communities is one of the priorities identified in the WDA's current Corporate Plan.

In future this will become the responsibility of the National Assembly.

Environmental Task Force

Mr. Llew Smith: To ask the Secretary of State for Wales how many New Deal places on the Environmental Task Force *(a)* have been taken up to date and *(b)* are in the process of being taken up, in Blaenau, Gwent. [69587]

Mr. Hain: Information on the number of people entering the options within the New Deal for 18–24s is not held by local authority area but is available by Employment Service District (Unit of Delivery).

In the Heads of the Valley and Caerphilly Unit of Delivery, which covers Blaenau Gwent, 122 people had taken up places on the Environment Task Force by the end of November 1998 (the latest available figures).

No information is held on the number of people in the process of entering the Environment Task Force.

National Assembly (Elections)

Ms Lawrence: To ask the Secretary of State for Wales if he will make a statement about the appointment of regional returning officers for the first elections to the National Assembly for Wales. [70567]

Mr. Michael: Subject to parliamentary approval to the draft National Assembly for Wales (Representation of the People) Order, which will shortly be laid before both Houses, I propose to appoint the following returning officers to the posts of regional returning officer at the first elections to the National Assembly for Wales on 6 May.

Mid and West Wales: Mr. Bryn Parry-Jones, returning officer for Pembrokeshire.

North Wales: Mr. Philip McGreevy, returning officer for Flintshire.

South Wales Central: Mr. Byron Davies, returning officer for Cardiff.

South Wales East: Mr. Lawrence Nippers, returning officer for Newport.

South Wales West: Ms Vivienne Sugar, returning officer for Swansea.

The formal designation of the regional returning officer appointments will be made once the Order has been approved and come into force.

Exports

Mr. Flynn: To ask the Secretary of State for Wales what is the total value of exports from Wales to *(a)* EU countries and *(b)* the rest of the world in each of the last five years. [69788]

Mr. Hain: Export data on a regional basis are not currently available. HM Customs and Excise Department are reviewing the way export data are collected to enable regional data to be available after devolution.

Although responsibility for export promotion in Wales will be a matter for the National Assembly, the provision of export data will remain the responsibility of HM Customs and Excise Department.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Wales what was the average [illegible]centage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69507]

Mr. Michael: Staff have received performance-related increases averaging 4.1 per cent. from 1 August 1998. The increases were not staged.

HEALTH

Medicines (Children)

Ms Drown: To ask the Secretary of State for Health what action he will take to ensure that the existing licensing framework for medicines minimises the risks posed to children's health. [67187]

Ms Jowell *[holding answer 2 February 1999]:* The safety of medicines is monitored via the "Yellow Card" adverse reaction notification scheme by medical staff at the Medicines Control Agency (MCA). This has recently been extended on pilot basis in Trent Region to cover adverse reactions specific to use of medicines in children.

There is currently no obligation on companies to apply for a licence for use of their product in children, although it is desirable wherever possible that medicines should be used under the terms of the licence. There can be practical difficulties in conducting such clinical trials—as well as significant ethical concerns. However, because of the concern about extensive "off-label" use of medicines in children, in 1997 European guidelines were developed to encourage the conduct of clinical trials in children. This is a major step forward and requires an applicant for a marketing authorisation (licence) in the United Kingdom or elsewhere in Europe, to justify reasons for not supplying data on use of the product in children. If the industry's response to the guidelines fails to result in the timely availability of licensed medicines for children, the UK will consider what further steps can be taken to minimise the risks posed to children's health from use of such medicines.

Slimming Products (Teenage Magazines)

Mr. Sheerman: To ask the Secretary of State for Health if he will take steps to dissuade the publishers of teenage magazines from promoting slimming products to young teenagers by way of articles or competitions. [68850]

Janet Anderson: I have been asked to reply.

Magazines are wholly independent of Government and subject only to the general law of the land and to the voluntary Code of Practice of the newspaper and periodical industry. My hon. Friend may wish to bring his concerns to the attention of the Periodical Publishers' Association, Imperial House, 15–19 Kingsway, London WC2B 6UN.

Blood Transfusion Service

Mrs. Ellman: To ask the Secretary of State for Health when he will make a statement on the future of the Blood Transfusion Service in Liverpool. [69315]

Mr. Hutton: We are considering a report by Professor Bellingham on the Liverpool Blood Centre. We shall be making a statement shortly.

Body Piercing

Mr. Burden: To ask the Secretary of State for Health what powers exist to license and regulate body piercing activities; what plans there are to empower local authorities to license and regulate body piercing activities; and if he will make a statement. [69476]

Ms Jowell: Local authorities in London have powers either to licence or to register and inspect cosmetic body piercing businesses. Local authorities outside London do not have similar powers. Following the Department of Health/Welsh Office consultation exercise in October 1996, we have concluded that legislation to give local authorities outside London powers to regulate cosmetic body piercing businesses should be introduced, if Parliamentary time allows.

Epilepsy

Mr. Hancock: To ask the Secretary of State for Health what estimate he has made of the number of individuals diagnosed with epilepsy in the Portsmouth area. [69680]

Mr. Hutton: The information requested is not available centrally.

Compulsory Treatment Orders

Mr. Hesford: To ask the Secretary of State for Health what plans he has to introduce proposals for the implementation of compulsory treatment orders in advance of the enactment of a new Mental Health Act. [69696]

Mr. Hutton: We have appointed an expert group, chaired by Professor Richardson, Professor of Law at Queen Mary and Westfield College, to advise on the changes necessary to mental health legislation including how measures might be introduced which will, for a very small number of people, require compliance with agreed treatment plans whether they are detained in a hospital or live in a community setting, with appropriate safeguards. The group will submit their recommendations by 1 July 1999. Any new measures can only be introduced once the necessary legislation has been enacted.

North and East Devon Health Authority

Mr. Burstow: To ask the Secretary of State for Health (1) what assessment he has made of the implications for the duty placed on the NHS to provide nursing care of the judgment in R *v.* North and East Devon Health Authority ex parte Coughlan; and if he will make a statement; [70227]

(2) what plans he has to issue guidance to health authorities and local authorities on their responsibilities following the judgment in R *v.* North and East Devon Health Authority ex parte Coughlan. [70228]

Mr. Hutton: Following the judgment in R *v.* North and East Devon Health Authority ex parte Coughlan, the Health Authority submitted an application for leave to appeal against the High Court's decision. In light of the impact on policy of the High Court's view on funding of nursing care, we decided to support the Health Authority's application for leave to appeal, given the importance of clarifying the judgment and making the legal position clear. This application for leave to appeal was granted on 4 February. We will consider the need for guidance to Health and Local Authorities once the result of the appeal is known. In the interim, Health Authorities and Social Services Departments are advised to seek their own legal advice if they have any concerns. The overall implications of the case are still being assessed.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Health what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69515]

Mr. Denham: The headline pay settlement was 2.4 per cent. on the paybill and together with the additional funds from staff turnover, staff in post received performance related pay increases averaging 4.1 per cent. The increase was not staged.

Teenage Mothers

Mr. Dawson: To ask the Secretary of State for Health what proportion of children aged under two years in local authority care were born to teenage mothers. [69892]

Mr. Hutton: The information requested is not available centrally. Although the Department collects statistical information on the care histories of children who are looked after by local authorities in England, this does not include information about the children's parents.

Xenotransplantation

Mr. Flynn: To ask the Secretary of State for Health (1) if he will suspend consideration of the recent application to conduct a clinical trial of a xenotransplantation procedure on humans until the code of practice on the welfare of xenotransplantation source animals is in place; [69313]

(2) what legislation would govern the treatment of animals used to provide cells or tissue for any clinical trial of a xenotransplantation procedure on humans approved by the United Kingdom Xenotransplantation Interim Regulatory Authority, before the establishment of the code of practice on the welfare of xenotransplantation source animals. [69312]

Mr. Hutton: The Animal (Scientific Procedures) Act 1986 regulates any use of living vertebrate animals plus octopus vulgaris in procedures which might cause pain, suffering, distress or lasting harm. Responsibility for the Act, including the welfare of animals which may be used as sources of xenotransplantation, lies with the Home Office in Great Britain and the Department of Health and Social Services in Northern Ireland.

The Code of Practice on the welfare of high health status pigs as xenotransplantation source animals is currently being developed by the Home Office Animal (Scientific Procedures) Inspectorate. Members of the United Kingdom Xenotransplantation Interim Regulatory Authority (UKXIRA) have met representatives of the Inspectorate to discuss specific elements of the proposed code of Practice and welfare issues concerning source animals for xenotransplantation in general.

In considering any application to undertake a xenotransplantation procedure involving humans, the UKXIRA would expect to see evidence of animal welfare standards at least equal to those discussed with the Home Office Animal (Scientific Procedures) Inspectorate. The Code of Practice is expected to be published later this year.

David Lewis Centre, Cheshire

Mr. Flynn: To ask the Secretary of State for Health if he will make a statement on his Department's investigations into the David Lewis Centre, Cheshire. [69310]

Mr. Hutton: The David Lewis Organisation has carried out an internal review of the standard of care provided to a 19-year-old patient following an allegation of neglect made by her family. South Cheshire Health Authority has now received the report and has accepted its findings. The Health Authority is in the process of commissioning a comprehensive independent expert review to assess whether the services provided by the David Lewis Centre are modern, effective and appropriate in meeting the needs of the children and adults in their care. That review is now expected to be completed by the end of April.

Nurses (Probation)

Helen Jones: To ask the Secretary of State for Health what representations he has received on the value of a probationary period for nurses; and if he will make a statement. [69791]

Mr. Denham: We have received no representations concerning the value of a probationary period for nurses.

Nursing Assistants

Helen Jones: To ask the Secretary of State for Health how many and what percentage of NHS trusts *(a)* currently have staff classified as nursing assistants or nursing auxiliaries and *(b)* have incorporated nursing assistants or nursing auxiliaries into a health care assistants scheme. [69792]

Mr. Denham: There were a total of 424 National Health Service Trusts in England as at 30 September 1997. Of these, 383 (90.3 per cent. of the total number of trusts) employed staff classified as nursing assistants and/or nursing auxiliaries.

Source:

Department of Health Non-medical workforce census.

It is a matter for local decision as to whether trusts incorporate nursing assistants or nursing auxiliaries into health care assistant schemes. No figures are kept centrally.

Nurses, Midwives and Health Visitors (Registration)

Helen Jones: To ask the Secretary of State for Health when he plans to publish the report commissioned from J. M. Consulting on the review of legislation covering the registration of nurses, midwives and health visitors. [69790]

Mr. Denham: The Government have carefully considered the independent Review Report and have decided to publish it, together with a detailed response, later this week. Copies of the Report entitled "The Regulation of Nurses, Midwives and Health Visitors" are available in the Library.

In the Lords today, my noble Friend Baroness Hayman announced a new, modernised and strengthened system of self-regulation for nurses, midwives and health visitors. The review recommends new legislation to replace the current arrangements. The criteria and principles for new legislation echo the Government's clear commitment to work with the professions and the regulatory bodies to strengthen the existing systems of professional self-regulation. The new arrangements will be designed to:

acknowledge and strengthen the accountability of practitioners;

strengthen the involvement of users and employers in the processes;

put public protection explicitly, and for the first time, at the heart of regulation.

The report recommends, and the Government accept, that the current dual regulatory structure (of a Council and four National Boards) be replaced with a new United Kingdom-wide body, with ultimate responsibility for regulating the professions, but national arrangements may be made in respect of some functions previously carried out by boards.

The Government have, however, decided not to accept recommendations relating to health visitors, who will continue to be a separate profession, retaining separate registration and representation on the new Council. A further review to explore the scope for the regulation of health care support workers is recommended, and we plan to commission this work shortly.

This is a thorough and thoughtful review, based on very extensive consultation. It was undertaken in the context of rapid developments and changes in the education and roles of the professions, and against the background of Government policies on the National Health Service and on devolution. This means that in Scotland and Wales, the new Council will be expected to commission educational quality assurance work in relation to nursing and midwifery from bodies whose structure and other functions will be determined by the Scottish Parliament and the National Assembly for Wales. Within Northern Ireland it will be up to the Northern Ireland Assembly, once it is fully operational, to determine the arrangements. No separate body is envisaged for England, although it would be open to the Council to collaborate with the Quality Assurance Agency.

Many of the recommendations in the report reflect issues of good practice and are addressed to the new Council, which will be smaller and more streamlined and strategic, both in its structure and functions. Others cannot be achieved without new legislation to replace the current Act. It is widely accepted that there is a need to find a way to implement these changes and a power has been included in the Health Bill, currently subject to Parliamentary scrutiny, to effect changes to primary legislation by Order. We will be bringing forward an amendment to the Health Bill to enable us to repeal the Nurses, Midwives and Health Visitors Act 1997 once the new arrangements are in place.

SCOTLAND

Government Projects

Mr. Gorrie: To ask the Secretary of State for Scotland if he will list each of the projects currently operating under (1) the National Childcare Strategy, (2) the Social Inclusion Partnerships, (3) New Deals in Scotland, (4) New Housing Partnerships, (5) Alternatives to Exclusion from School, (6) Early Intervention Schemes and (7) the Community Schools Initiative, indicating for each *(a)* the number of people benefiting, *(b)* the amount of money to date provided by (i) the Government and (ii) other bodies, *(c)* the estimated total number of people who will benefit and *(d)* the estimated total financial contribution of (x) the Government and (y) other bodies. [68943]

Mrs. Liddell: Since the information requested is lengthy, I shall write to the hon. Member as soon as possible, placing a copy of my letter in the Library.

Scottish Parliament (Voting)

Mr. Corbett: To ask the Secretary of State for Scotland what educational publicity campaign he plans to undertake, and at what estimated cost, to inform electors of the new voting system for the Scottish Parliament. [69053]

Mr. McLeish *[holding answer 3 February 1999]:* The Government believe that voters have a right to understand how the new electoral arrangements will work and is therefore planning a substantial publicity campaign to inform voters about the new voting system for the Scottish Parliament. I am pleased to say that we have had helpful and constructive discussions with the Opposition parties about our proposals. The campaign will feature a mix of press, television, radio and leaflets and will begin in mid-February. There will also be information about registration and absent voting. We estimate the total cost will be approximately £2.5 million.

Scottish Enterprise

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will break down by subhead the expenditure on administration by Scottish Enterprise in *(a)* 1997–98 and *(b)* 1998–99; and if he will make a statement. [69239]

Mr. Dewar *[holding answer 4 February 1999]:* The overall budget allocations to Scottish Enterprise for 1997–98 and 1998–99 included £59.29 million and £61.29 million for administration respectively. The allocation of the resources within the Administration Block is an operational matter for Scottish Enterprise and I have asked the Chairman to write to the hon. Member.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will provide a breakdown of the planned budget for Scottish Enterprise for *(a)* 1999–2000 and *(b)* 2000–01; and if he will make a statement. [69184]

Mr. Dewar *[holding answer 4 February 1999]:* The Scottish Enterprise budget for 1999–2000 and 2000–01 was announced as part of the Government's Comprehensive Spending Review and is £427 million and £435 million respectively. The detailed breakdown for 1999–2000 is at present being finalised and will be published in The Scottish Office Departmental Report.

From 1 July 1999 this will be a matter for the Scottish Parliament.

NHS (Administrative Expenditure)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the total administrative expenditure in the Scottish NHS for *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99 and *(e)* 1999–2000; and if he will make a statement. [69240]

Mr. Galbraith *[holding answer 4 February 1999]:* Health Boards in Scotland receive an annual general revenue allocation and it is for Health Boards themselves to decide on how best to deploy funding made available to meet the health care needs of their resident population. No estimate is made centrally for administrative expenditure. Outturn figures for total administrative expenditure for Health Boards and NHS Trusts are available for 1995–96, 1996–97 and 1997–98. These are detailed in the table.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Year	*Expenditure £000*
1995–96	486,963
1996–97	490,077
1997–98	488,710

Industry, Enterprise and Training

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will estimate the level of cash spending on Industry, Enterprise and Training for *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02; and if he will make a statement. [69241]

Mr. Dewar *[holding answer 4 February 1999]:* Planned net provision and estimated expenditure for Industry, Enterprise and Training is £544 million in 1999–2000, £545 million in 2000–01 and £595 million in 2001–02.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will provide a breakdown of expenditure on Industry, Enterprise and Training for *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03; and if he will make a statement. [69236]

Mr. Dewar *[holding answer 4 February 1999]:* Planned provision for 2000–01 and 2001–02 following the Comprehensive Spending Review is shown in the table. Provision for 2002–03 will be decided in the context of the next review of expenditure which will be a matter for the Scottish Parliament.

Industry, enterprise and training programme: expenditure summary

£ million

	2000–01 plans	*2001–02 plans*
Scottish Enterprise	388	425
Highlands and Islands Enterprise	61	61
Investment Assistance	70	84
Innovation	5	5
Scottish Tourist Board	19	19
Other	1	1
Total	545	595

Note:

All figures are shown net of receipts which for the enterprise bodies includes business receipts.

Totals may not add due to roundings.

Industry, Enterprise and Training provision is focused on building industries and jobs for the future.

Skye Bridge

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland how much was collected in tolls on the Skye Bridge in the latest year for which figures are available; and if he will make a statement. [69245]

Mr. Macdonald *[holding answer 4 February 1999]:* The latest published accounts of Skye Bridge Ltd. show that toll income for the year to 31 December 1997 was £3,253,993. From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland, pursuant to his answer of 2 February 1999, *Official Report*, column *589*, on the Skye Bridge, if he will place in the Library copies of the Deputy Crown Agent's letters of 6 November 1995 and 5 January 1996 to the Procurator Fiscal in Dingwall. [69886]

Mr. McLeish: As the hon. Gentleman will be aware, all communications between the Crown Office and Procurators Fiscal are strictly private and confidential. Despite that, my noble and learned Friend the Lord Advocate provided the information contained in the written answer of 2 February 1999, *Official Report*, column *589*, in an attempt to be as helpful as possible.

My noble and learned Friend the Lord Advocate considers that it is not appropriate to go further and to place copies of the letters requested in the Library.

Scottish Parliament (Income Tax)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the *(a)* gross and *(b)* net annual (i) full year and (ii) first year, revenue yield from a decision to raise income tax by one penny by the Scottish Parliament; and if he will make a statement. [69237]

Mr. McLeish *[holding answer 4 February 1999]:* It is currently estimated that adding 1p to the basic rate of income tax in Scotland in 2000–01, the first year in which the tax-varying power could be exercised, would yield £180 million gross (£175 million net of payments of income-related benefits) of additional tax revenue.

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if it is his policy that the Scottish consolidated fund will receive the full-year revenue from any use of the Scottish Parliament tax-varying powers in the first year for which these can be used; and if he will make a statement. [69186]

Mr. McLeish *[holding answer 4 February 1999]:* Section 77 of the Scotland Act 1998 provides that if the Scottish Parliament uses the tax-varying power in any year to increase the basic rate of income tax in Scotland, the Board of the Inland Revenue will be required to pay into the Scottish Consolidated Fund an amount equal to an estimate by the Board of the proportion of income tax receipts for that year that is properly attributable to the tax-varying resolution of the Parliament.

School Books and Equipment

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the expenditure of Scottish schools on books and equipment for the latest year for which figures are available. [69417]

Mrs. Liddell *[holding answer 8 February 1999]:* Total expenditure by education authorities in Scotland on text and library books, and educational tools, equipment and materials for nursery, primary, secondary and special schools was £52.2 million in 1996–97, the latest year for which information is available. Estimates are not available for such expenditure in future years, but future expenditure should reflect additional resources for education made available in the Budgets of 1997 and 1998 and the Comprehensive Spending Review. In particular, additional resources of £2.4 million are being allocated to local authorities this financial year for books for school libraries, in support of the National Year of Reading. From 1 July 1999 this will be a matter for the Scottish Parliament.

Second Home Owners

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will estimate the cost of a rebate of 50 per cent. on the council tax of second home owners in Scotland; and if he will make a statement. [69497]

Mr. McLeish *[holding answer 8 February 1999]:* Information is collected centrally only in respect of the total number of dwellings in receipt of the 50 per cent. council tax discount and we cannot identify how many of these are second homes. The percentage of all dwellings receiving a 50 per cent. discount is around 2 per cent. From 1 July 1999 this will be a matter for the Scottish Parliament.

Education Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will estimate the spending on education in each of the current local government areas of *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99 and *(e)* 1999–2000. [69498]

Mrs. Liddell *[holding answer 8 February 1999]:* The available information is given in the following table. The current local government areas were not responsible for education spending in 1995–96. From 1 July 1999 this will be a matter for The Scottish Parliament.

Local authority education spending

£000

Councils	*1996–97 Final Outturn*	*1997–98 Provisional Outturn*	*1998–99 Budget Estimates*
Aberdeen, City	87,162	86,437	88,210
Aberdeenshire	109,686	112,025	111,739
Angus	48,012	48,192	49,866
Argyll and Bute	49,507	47,188	49,095
Clackmannanshire	24,084	24,458	25,198
Dumfries & Galloway	67,532	69,214	70,643
Dundee	70,320	69,074	69,169
East Ayrshire	59,089	58,104	60,657
East Dunbartonshire	53,343	51,531	53,922
East Lothian	37,557	36,970	37,881
East Renfrewshire	42,645	41,980	44,144
Edinburgh, City	159,099	159,859	164,035
Eilean Siar	23,591	23,523	24,604
Falkirk	62,762	61,704	64,222
Fife	167,748	164,946	167,128
Glasgow City	290,555	273,361	288,201
Highland	114,011	113,125	115,812
Inverclyde	42,823	42,884	45,504
Midlothian	40,623	40,721	41,236
Moray	41,888	39,903	41,716
North Ayrshire	65,239	67,212	68,906
North Lanarkshire	161,135	159,380	165,241
Orkney	15,372	14,980	15,358
Perth and Kinross	56,188	56,677	58,795
Renfrewshire	82,644	82,199	84,651
Scottish Borders	48,314	46,928	47,702
Shetland	23,886	23,384	23,821
South Ayrshire	52,534	50,656	47,151
South Lanarkshire	145,592	143,589	140,775
Stirling	40,639	36,802	39,539
West Dunbartonshire	49,655	50,439	53,287
West Lothian	83,209	77,700	79,355
Scotland	2,416,444	2,375,145	2,437,559

Notes:

1. All figures are net current expenditure excluding loan & leasing charges as returned by the individual local authorities to The Scottish Office

2. The provisional outturn figures for 1998–99 and the budget estimates for 1999–2000 are not yet available

Departmental Theft

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will list the items and their estimated value stolen from (i) his Department, (ii) its agencies and (iii) associated public bodies during *(a)* 1997–98 and *(b)* 1998–99 to date; and if he will make a statement. [69266]

Mr. Dewar *[holding answer 8 February 1999]:* A variety of items are periodically reported missing. Security procedures remain under constant review and revised procedures are introduced as necessary. The following items have been formally recorded as losses due to theft from The Scottish Office, its agencies and associated Departments in 1997–98 and 1998–99 to date.

	Scottish Office		*Agencies*		*Associated Departments*	
Year	*Item*	*Value (£)*	*Item*	*Value (£)*	*Item*	*Value (£)*
1997–98						
April	—	—	Scanner	300	—	—
	—	—	Computer	3,000	—	—
May	Laptop	1,727	—	—	—	—
July	Disk Drive	200	Netting	3,000	—	—
	Hard Disk	179	Computer	1,100	—	—
	—	—	Printer	500	—	—
August	Speakers	65	Bench	400	—	—
	Mobile	33	Microwave	200	—	—
	Laptop (2)	3,500	—	—	—	—
September	PC trackball	106	—	—	Dictaphone	350
	Ansaphone	60	—	—	—	—
	Modem	170	—	—	—	—
	Laptop	1,949	—	—	—	—
October	PC board	70	Trailer	1,800	—	—
	Modem	132	Laptop	1,500	—	—
	PC CD (2)	280	Netting	2,000	—	—
	Pager	80	—	—	—	—
	Car	1,275	—	—	—	—

	Scottish Office		*Agencies*		*Associated Departments*	
Year	*Item*	*Value (£)*	*Item*	*Value (£)*	*Item*	*Value (£)*
November	Printer	250	Light	350	—	—
	Laptop (2)	5,500	—	—	—	—
	Modem (2)	300	—	—	—	—
December	Car	3,975	—	—	—	—
	Keyboard	41	—	—	—	—
	Carpet Tiles	100	—	—	—	—
	Stamp	60	—	—	—	—
	Soldering Iron	93	—	—	—	—
January	Dictaphone	42	Labelmaker	151	—	—
	Guillotine	30	—	—	—	—
	Stapler	25	—	—	—	—
March	—	—	Cash	66	—	—
1998–99						
April	—	—	Paint	100	—	—
	—	—	VCR	200	—	—
May	Adaptor	50	—	—	Hard Drives (2)	360
	Laptop	1,500	—	—	—	—
June	Audio Kit	700	—	—	—	—
July	Ansaphones	105	—	—	—	—
	Laptop	1,329	—	—	—	—
August	—	—	Mobile	200	—	—
	—	—	Picture	200	—	—
September	DAT Drive	1,292	—	—	—	—
	Audio Kit	700	—	—	—	—
	Mobile	100	—	—	—	—
	Laptop	1,600	—	—	—	—
October	Laptops (2)	3,240	—	—	—	—
November	Laptops (2)	3,807	—	—	—	—
December	Stamps	585	—	—	—	—
January	Fax	400	Camera	400	—	—

From 1 July 1999 this will be a matter for the Scottish Parliament.

Health and Education

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will make a statement on his priorities for improving the *(a)* health service and *(b)* education system in Scotland. [69416]

Mr. Dewar *[holding answer 8 February 1999]:* The Government's strategic aims and clinical priorities for the National Health Service in Scotland are set out in "Priorities and Planning Guidance for the NHS in Scotland 1999–2002". Our plans to reform the structure of the National Health Service in Scotland to replace the internal market were detailed in "Designed to Care: Renewing the National Health Service in Scotland" (Cm 3811). I intend to publish proposals related to the broader health agenda shortly, taking account of the responses to consultation on "Working Together for a Healthier Scotland" (Cm 3584). All these documents are in the Library.

The Government's priorities for improving school education are set out in our White Paper "Targeting Excellence: Modernising Scotland's Schools" (Cm 4247) which was published on 27 January. Our priorities for post-16 education and training are set out in our Green Paper "Opportunity Scotland" (Cm 4048) published in September 1998. I sent the hon. Member copies of these documents, and copies are also available in the Library of the House. For higher education, our priorities are set out in the Government's responses to the Dearing and Garrick reports, published in February 1998. I sent the hon. Member a copy of the Garrick report, and copies of both reports are available in the Library of the House.

We expect shortly to publish our strategic framework for further education which will set out our challenge to colleges to widen participation, improve links with each other and other sectors, and to raise standards and quality.

Our priorities for health and education contribute to our overarching aims to promote social inclusion and excellence, and will be delivered within the enhanced resources allocated as a result of our Comprehensive Spending Review.

From 1 July 1999 these will be matters for the Scottish Parliament.

Nursing Homes

Mr. Russell Brown: To ask the Secretary of State for Scotland what plans he has to introduce dual registration for residential and nursing homes for the elderly. [70024]

Mr. Galbraith: Proposals for improving the regulation of residential care and nursing homes will be set out in the White Paper which we intend to publish next month.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Scotland what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69511]

Mr. Dewar: The average performance related pay increases received by staff in post are set out in the table.

	Percentage
The main Scottish Office pay bargaining unit	4.20
Historic Scotland	3.05
Scottish Fisheries Protection Agency	4.10
Scottish Prison Service	4.25

The increases were not staged.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Medical Waste Disposal

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list the (i) longest, (ii) average and (iii) shortest distance over which the higher risk clinical waste for incineration is transported from the *(a)* Hairmyres and Stonehouse Hospitals NHS Trust, *(b)* Law Hospital NHS Trust and *(c)* Monklands Hospital NHS Trust. [69208]

Mr. Galbraith: The incineration of such waste for these Lanarkshire NHS Trusts is currently carried out at a plant on the Crosshouse Hospital site. This is 35 miles from Monklands Hospital, 30 miles from law Hospital and 20 miles from the Hairmyres and Stonehouse Hospitals.

Mrs. Ewing: To ask the Secretary of State for Scotland what plans he has for the future disposal of healthcare waste from the *(a)* Hairmyres and Stonehouse Hospitals NHS Trust, *(b)* Law Hospital NHS Trust and *(c)* Monklands Hospital NHS Trust; what sites will be used for (i) the incineration and (ii) the landfill disposal of medical waste; and if he will make a statement. [69210]

Mr. Galbraith: Following a recent tendering exercise which was carried out in consultation with public health doctors, specialist engineers and environmentalists, including the Scottish Environment Protection Agency, a contract was awarded to Eurocare Environmental Services Limited which will, from 1 April 1999, service the clinical waste disposal needs of two-thirds of Scotland's NHS Trusts. All of the Lanarkshire Trusts have given a commitment to be part of the contract which across Scotland is expected to realise savings of around £6m for re-investment in patient care. Under the arrangements the bulk of the clinical waste from Lanarkshire will be treated at a disinfector/heat treatment plant in Cumbernauld. When processed, the safe, inert residue will be disposed of at a licensed landfill site near Cumbernauld. There are also low volume, higher risk clinical waste materials which will be disposed of by incineration at plants in the Midlands of England.

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list the regulations pertaining to the current practice for the disposal of healthcare waste by the *(a)* Hairmyres and Stonehouse Hospitals NHS Trust, *(b)* Law Hospital NHS Trust and *(c)* Monklands Hospital NHS Trust. [69207]

Mr. Galbraith: The following legislation applies:

Health and Safety at Work, etc. Act 1974

Environmental Protection Act 1990

The Radioactive Substances Act 1993

Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 (SI 1991 No 1624)

Environmental Protection (Duty of Care) Regulations 1991 (SI 1991 No 2839)

Management of Health & Safety At Work Regulations 1992 (SI 1992 No 2051)

Waste Management Licensing Regulations 1994 (SI 1994 No 1056)

Control of Substances Hazardous to Health Regulations 1994 (SI 1994 No 3246)

Special Waste Regulations 1996 (SI 1996 No 972)

Carriage of Dangerous Goods by Road Regulations 1996 (SI 1996 No 2095)

Carriage of Dangerous Goods by Road (Drivers Training) Regulations 1996 (SI 1996 No 2094).

Barnett Formula

Mr. Swinney: To ask the Secretary of State for Scotland if he will list for each project over £50,000 payments under the Barnett Formula to his Department in the two most recent years and moneys already allocated under the formula for the financial years 1999–2000 and 2000–01. [69858]

Mr. Dewar: The Barnett formula is used to calculate the Scottish share of changes to the baselines of those English or English and Welsh programmes which are comparable to Scottish programmes. It is not applied to specific projects. The Departmental Expenditure Limit figures for Scotland for the years 1999–2000 to 2000–01, which were calculated in accordance with the Barnett formula, are set out in Table 22.1 of the Comprehensive Spending Review White Paper "Modern Public Services for Britain: Investing in Reform" (Cm 4011).

Nationalised Industries (Funding)

Mr. Swinney: To ask the Secretary of State for Scotland if he will list by *(a)* administration costs and *(b)* by funded project over £50,000 the moneys given by his Department over the two most recent years for which figures are available to each of the nationalised industries in Scotland; and if he will list the sums allocated for each of these headings in (i) 1999–2000 and (ii) 2000–01. [69860]

Mr. Macdonald: The two nationalised industries sponsored by the Scottish Office are Caledonian MacBrayne Limited (CalMac) and Highlands and Islands Airports Limited (HIAL).

The Scottish Office does not specifically allocate an element of grant to meet CalMac and HIAL's administration costs. Account is taken of administrative costs when the Department considers and approves the revenue deficit grant paid to each company each year.

The following projects were funded in 1996–97 and 1997–98 at a total cost of over £50,000.

Cal/Mac

Projects over £50,000 funded by capital grant

£

Project title	*Capital grant*
Harbourworks	
1996–97	
Tiree passenger walkway	57,658
Fishnish slipway widening	100,341
1997–98	
Castlebay berthing dolphin	84,022
Lochboisdale berthing dolphin	56,693

Cal/Mac
Projects over £50,000 funded by capital grant

Project title	*Capital grant* £
Vessels	
1996–97	
MV Loch Alainn	860,250
MV Clansman	600,000
1997–98	
MV Clansman	9,900,000

HIAL
Projects over £50,000 funded by capital grant

Project title	*Capital grant* £
1996–97	
Barra—3 storey VCR visual control room Phase I	241,504
Barra—Fire appliance	75,504
Barra—Fire appliance	75,504
Barra—Fire appliance	63,426
1997–98	
Barra—Visual control room Phase II	122,421
Campbeltown—DME (Distance Measuring Equipment)	129,960
Inverness—Ambulift	55,900
Islay—Standby generator	63,504
Kirkwall—Control tower building	648,621
Kirkwall—Ambulift	53,900
Sumburgh—PAMOS (Partially Automated Meteorological Observation System)	151,554
Fast rescue craft	77,750
Ambulift	54,760

Allocations for 1999–2000 for Cal/Mac and HIAL have not yet been finalised. Allocations for 2000–01 will be drawn up in the course of 1999–2000.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Local Enterprise Companies (Funding)

Mr. Swinney: To ask the Secretary of State for Scotland if he will list for each local enterprise company in Scotland the *(a)* rural development *(b)* research and development, *(c)* business start up, *(d)* business support and *(e)* other projects of value greater than £10,000, by project heading, in 1998–99; and if he will list in each case the sums allocated for (i) 1999–2000 and (ii) 2000–01. [69921]

Mr. Dewar: Contractual arrangements for individual projects are an operational matter for Scottish Enterprise, Highlands and Islands Enterprise and the local enterprise companies. I have asked the Chairmen to write to the hon. Member.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Public Bodies

Mr. Swinney: To ask the Secretary of State for Scotland if he will list the *(a)* current premises, *(b)* staff numbers by grade and responsibility and *(c)* administration costs, indicating separately office costs, staff costs and other costs for each non-departmental public body for which he is responsible for (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01. [69859]

Mr. Dewar: This information is not collected centrally and could be provided only at disproportionate cost.

Mr. Swinney: To ask the Secretary of State for Scotland if he will provide for the two most recent financial years a breakdown of spending by project over £20,000, or if necessary to protect commercial or other sensitivities, by regional total, on *(a)* research, *(b)* grants to, (i) individuals, (ii) organisations and businesses and (iii) public bodies, by project aim, *(c)* capital projects, *(d)* maintenance and *(e)* security, by each non-departmental public body for which he is responsible, listing those allocations which have already been made for (1) 1998–99, (2) 1999–2000 and (3) 2000–01; and what is the total budget of each of these organisations for each year over the period. [69857]

Mr. Dewar: The budget figures for NDPBs for 1998–99 can be obtained from Appendix 7 of "Serving Scotland's Needs, The Government's Expenditure Plans 1998–99" (Cm 3914). Plan figures for 1999–2000 and 2000–01, as set in the Comprehensive Spending Review, will be published in Spring 1999 in "Serving Scotland's Needs, The Government's Expenditure Plans 1999–2000 to 2001–02". The remainder of the information requested is held locally by Non-Departmental Public Bodies and, as such could be gathered centrally only at a disproportionate cost.

From 1 July 1999 this will be a matter for the Scottish Parliament.

LORD CHANCELLOR'S DEPARTMENT

Appeals (Trinidad and Tobago)

Mr. Livingstone: To ask the Minister of State, Lord Chancellor's Department if he will make a statement of the Government's policy on the withdrawal of the jurisdiction of the Privy Council over appeals from Trinidad in respect of criminal matters only; and what representations he has received from the Attorney-General of Trinidad in support of such a withdrawal. [69649]

Mr. Hoon: The Judicial Committee of the Privy Council is the final court of appeal of Trinidad and Tobago. It is for Trinidad and Tobago to exercise its sovereign right to decide whether or not it wishes to retain this avenue of appeal. The Government do consider, however, that if Trinidad and Tobago were to decide to withdraw from the appellate jurisdiction of the Judicial Committee, it would be appropriate first to ensure access to an appeals procedure of equivalent stature. There have been discussions to that effect between my noble and learned Friend the Lord Chancellor and the Attorney-General of Trinidad and Tobago on several occasions.

Mr. Livingstone: To ask the Minister of State, Lord Chancellor's Department what discussions he has had with the Attorney-General of Trinidad on the cessation of the jurisdiction of the Privy Council over appeals from Trinidad. [69648]

Mr. Hoon: I have had no such discussions. My noble and learned Friend the Lord Chancellor has met the Attorney-General of Trinidad and Tobago on several occasions during which various matters, including the appellate jurisdiction of the Judicial Committee of the Privy Council, were discussed.

Queen's Counsel

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department (1) if he will list for the last year, *(a)* the highest figure and *(b)* the average figure given as the gross fee income by successful applicants for Queen's Counsel; [69360]

(2) if he will list for the last year, what was *(a)* the highest figure and *(b)* the average figure given as the gross fee income by unsuccessful applicants for Queen's Counsel; [69359]

(3) if he will list for the last year, *(a)* the highest figure and *(b)* the average figure given as the gross fee income by all applicants for Queen's Counsel. [69356]

Mr. Hoon: The figures are as follows:

	£	
	Highest	*Average*
Successful applicants	589,000	246,000
Unsuccessful applicants	665,000	165,000
All applicants	665,000	175,000

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what plans he has to introduce a limit on the number of applications an individual may make for Queen's Counsel status. [69355]

Mr. Hoon: My noble and learned Friend has no plans to introduce a limit on the number of applications an individual may make for the award of Queen's Counsel.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department in each of the last five years *(a)* in how many civil litigation matters the use of Queen's Counsel was authorised by the Legal Aid Board and *(b)* of *(a)* how many had authorised the use of junior as well as Queen's Counsel; what were, in civil litigation cases, in each of the last five years, (i) the highest amount for an individual civil litigation case authorised to be paid to a QC, (ii) the average amount for an individual civil litigation case authorised to be paid to a QC and (iii) the highest amount paid in total to an individual QC; and if he will list in relation to each category above, the figures for criminal litigation. [69358]

Mr. Hoon: I am unable to answer the majority of that part of the question which relates to civil legal aid as the Legal Aid Board do not record separately payments to Queen's Counsel. Therefore, the information requested could be obtained only at disproportionate cost. Records of the amount paid in total to an individual Queen's Counsel in respect of civil proceedings are available for the last two years only and were as follows:

Year	£
1996–97	350,000
1997–98	394,952

For criminal legal aid in the higher criminal courts.

(a) The number of criminal cases in which a payment was made to a QC in each year from 1993–94 to 1996–97 was as follows:

Year	£
1993–94	1,472
1994–95	1,349
1995–96	1,375
1996–97	1,331

Note:

Information is not yet available for 1997–98

(b) Information on the number of cases where junior as well as Queen's Counsel were authorised is not collected centrally and could be obtained only at disproportionate cost.

(i) The highest amount paid to an individual QC[1] in a criminal case in each of the last five years was as follows:

Year	£
1993–94	315,987
1994–95	463,849
1995–96	295,218
1996–97	561,415
1997–98	348,471

(ii) The average amount paid to QCs in each year from 1993–94 to 1996–97 was as follows:

Year	£
1993–94	14,883
1994–95	20,333
1995–96	19,188
1996–97	21,069

Note:

Information for 1997–98 is not yet available

(iii) The highest amounts paid in total to individual QCs[1] in each year from 1993–94 to 1996–97 was as follows:

Year	£
1993–94	over 440,000
1994–95	over 660,000
1995–96	over 500,000
1996–97	over 500,000

Note:

Information for 1997–98 is not yet available

[1] Payments made to individual barristers are in respect of closed cases only; that is where the case has been disposed of and all bills, including those of defence lawyers, have been determined. It should be clearly understood that any payment to an individual recorded in any year could well reflect payments received in earlier years. In those instances, payments have been aggregated in the year in which the final payment was made.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department in each of the last five years *(a)* how much was spent by the Government on fees to Queen's Counsel and *(b)* what was the highest amount paid in respect of an individual case to a single QC. [69363]

Mr. Hoon: No central record is kept of fees paid to Queen's Counsel by the Government. The information could be provided only at disproportionate cost.

Judicial Appointments

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department if he will list for each of the last five years, *(a)* how many (i) High Court judges and (ii) circuit judges have been appointed and *(b)* of (i) and (ii), how many were (A) women, (B) from ethnic minorities and (C) solicitors. [69361]

Mr. Hoon: The table shows the figures for the numbers of women, ethnic minority practitioners and solicitors appointed as High Court Judges and Circuit Judges in each of the last five years.

Year	*Total*	*(a) Women*	*(b) Ethnic minority origin*	*(c) Solicitors*
(i) High Court Judge appointments				
1994	6	1	0	0
1995	12	1	0	0
1996	9	0	0	0
1997	7	0	0	0
1998	7	0	0	0
(ii) Circuit Judge appointments				
1994	35	2	0	4
1995	48	4	1	16
1996	45	1	0	5
1997	27	3	1	3
1998	37	6	0	3

Court Dress

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what plans he has to review the rules relating to advocates' court dress; and if he will make a statement. [69362]

Mr. Hoon: The Lord Chancellor has no present plans to review the rules relating to advocates' court dress.

Public Trust Office

Mr. Laurence Robertson: To ask the Minister of State, Lord Chancellor's Department what discussions he has had with officials from the Public Trust Office; how he monitors the performance of that office; what plans he has to review the role of the office; and if he will make a statement. [69502]

Mr. Hoon *[holding answer 8 February 1999]:* The arrangements for the Lord Chancellor's monitoring of the performance of the Public Trust Office are set out in its Framework Document. Ministerial discussions with Public Trust Office officials take place from time to time within this framework.

The Public Trust Office is a "Next Steps" Executive Agency which attained agency status in 1994. A Quinquennial Review of the Agency is due this year. The Review will be conducted by someone external to the Department, and will comprise an evaluation of the performance of the agency and a Prior Options Review which will examine all options for discharging the agency's functions. The Review will start shortly. It will be able to take account of the forthcoming report of the National Audit Office into aspects of the work of protecting the financial welfare of people with mental incapacity, and the subsequent views of the Public Accounts Committee.

PRIME MINISTER

Official Entertainment

Mrs. Virginia Bottomley: To ask the Prime Minister how much was spent on official entertainment at 10 Downing street in 1997–98. [69162]

The Prime Minister: The cost to my office of official hospitality, including official entertainment, at 10 Downing street and Chequers in 1997–98 was £43,777.

This compares with total expenditure on entertainment at 10 Downing street during the 1996–97 financial year of £50,126.

Ministers (Public Funds)

Mr. Baker: To ask the Prime Minister what steps he has taken to ensure that activities undertaken by Ministers on behalf of the Labour Party do not involve the expenditure of public funds. [69818]

The Prime Minister *[holding answer 8 February 1999]:* The Ministerial Code makes it clear that Ministers must not use public resources for party political purposes.

Duty Free

Mr. Peter Bottomley: To ask the Prime Minister if he will estimate the consumption effects and health outcomes of the abolition of duty free imports of tobacco, alcohol and other goods with the EU. [70056]

The Prime Minister: The decision to end duty free sales within the European Union was taken by the Council of Finance Ministers in 1991, with the support of the Conservative Government. It was a fiscal measure deemed necessary for the effective operation of the Single Market and took no account of levels of consumption or health issues.

St. Malo Declaration

Mr. Cox: To ask the Prime Minister what discussions has he had with the German Government on the recent British/French St. Malo declaration; and if he will make a statement. [69924]

The Prime Minister: Since St. Malo I have had discussions with a number of European colleagues, including the German Chancellor, on European defence. French and British officials have also discussed with the German EU/WEU Presidency how best to take the issue [illegible]ward in the run up to the WEU Ministerial at Bremen (10–11 May) and the European Council at Cologne (4 June).

Monetary Policy

Sir Brian Mawhinney: To ask the Prime Minister, pursuant to his oral answer of 3 February 1999, *Official*

Report, column 932, if he will list those factors which he has assessed as detrimental to economic stability if monetary policy were to be transferred from the independent Bank of England to Her Majesty's Treasury. [70102]

The Prime Minister: The benefits of the Government's new monetary policy framework are clear: inflation has been at or close to its target; inflation expectations have fallen; the differential between yields on German and British long-term government debt has closed markedly; base rates are at their lowest level for over four years; and long term interest rates are at their lowest level for over 40 years and mortgage rates their lowest for over 30 years.

The UK's past experience of monetary policy, when short-term political considerations detracted from long-term stability, suggests that any move to take back control of interest rates from the Bank of England would risk jeopardising those achievements.

General Pinochet

Mrs. Gillan: To ask the Prime Minister at what time *(a)* he and *(b)* his Office was informed of (1) the police decision to arrest and (2) the arrest of Senator Pinochet. [70283]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 2 November 1998, *Official Report*, column *403*.

Pensioners' Parliament

Mr. Mackinlay: To ask the Prime Minister if a Minister will be attending the Pensioners' Parliament to be held in Blackpool between 11 and 13 May. [69577]

The Prime Minister: To date no Minister has been invited to attend the Pensioners' Parliament, which I understand is organised by the National Pensioners Convention.

INTERNATIONAL DEVELOPMENT

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for International Development what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in her Department for 1998–99; and to what extent the pay awards were staged. [69513]

Clare Short: The headline pay settlement was 2 per cent. on the paybill and together with the additional funds from staff turnover, staff in post received performance-related increases averaging 4 per cent. The increases were not staged.

EU Aid Budget

Dr. Tonge: To ask the Secretary of State for International Development if she will list the 10 countries which received the most EU aid in the last year for which figures are available; and if she will make a statement. [69040]

Clare Short: In 1997, the latest year for which figures are available, the 10 countries which received the most EU official development assistance are set out in order. Our proposals to seek to change this situation are set out in our EU Strategy Paper "Working in Partnership with the European Community", a copy of which has been placed in the Library.

1. Bosnia and Herzegovina
2. Morocco
3. Egypt
4. Tunisia
5. Palestinian administered areas
6. Slovenia
7. India
8. Jordan
9. Bangladesh
10. Mauritania

Dr. Tonge: To ask the Secretary of State for International Development what proportion of the EU aid budget is currently invested in low-income countries; and if she will make a statement. [69039]

Clare Short: In 1996 45 per cent. of EC external assistance (official development assistance plus official aid) went to low income countries, compared with 71 per cent. for the Department for International Development's bilateral programme. Our strategy to increase EC spending in low income countries is set out in our EU Strategy Paper, "Working in Partnership with the European Community", a copy of which has been placed in the Library.

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with her European counterparts concerning the proportion of the EU's aid budget which is invested in low income countries. [69041]

Clare Short: I discussed the EU aid budget with all my European colleagues in the last meeting of the Development Council, on 30 November 1998. I and the Parliamentary Under-Secretary of State also meet our counterparts individually. We raise this issue at every possible opportunity.

Morocco

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with her French counterpart concerning Morocco. [69042]

Clare Short: On 23 December 1998 I met Monsieur Charles Josselin, my French counterpart, and we discussed a range of development assistance issues including EC aid to the Mediterranean and the Middle East, but we did not specifically discuss Morocco.

Central America

Dr. Tonge: To ask the Secretary of State for International Development what assessment her Department has made of the long-term rehabilitation needs of the countries in Central America affected by Hurricane Mitch. [69038]

Clare Short: Following our initial response in the aftermath of Hurricane Mitch, (£4.2 million bilateral emergency aid and £10 million towards the World Bank's multilateral trust fund) we have been carefully considering our future assistance.

Part of the £4.2 million assistance included rebuilding secondary roads and bridges, repairing water and sanitation infrastructure, restoring primary health and education services and work on epidemiological surveillance and epidemic control. A Department for International Development mission is planning to visit Honduras and Nicaragua on 22 February to check on the progress of this work and look at possible longer-term assistance. The team will hold meetings with the relevant government ministries and non-governmental organisations.

Before Hurricane Mitch struck, we had already planned to spend £6 million in Central America over the next two years, working with some of the key multilateral organisations. We will now refocus our assistance in the light of the need for reconstruction. We have recently signed an agreement with the Inter-American Development Bank (IDB) in which DFID will provide funds to strengthen the capacity of local organisations to enable them to make more effective use of loans provided by the IDB.

We are also currently looking at supporting a regional rural development and natural resources technical assistance unit (RUTA), possible co-operation with the Pan American Health Organisation (PAHO) on health projects in the region as well as long-term support alongside the emergency road-building project announced in December. A project aimed at regenerating crop production by providing appropriate seed has also recently been approved.

Palestinian Authority

Mr. Stephen Twigg: To ask the Secretary of State for International Development what action she has taken to prevent corrupt use of EU and British aid to the Palestinian Authority. [68715]

Mr. Foulkes: The UK and the European Commission rarely provide direct financial assistance to the Palestinian Authority. In cases where assistance has been so provided, special payment and accounting mechanisms have been incorporated to ensure that funds have been properly spent. UK aid to the Palestinians is largely in the form of technical co-operation and support to non-government organisations, who are major deliverers of services in the West Bank and Gaza. EC and UK projects and programmes are regularly monitored, including site visits, to ensure that funds are used for agreed purposes.

Donors have repeatedly made it clear to the Palestinian Authority their concern about financial management and the importance of transparency.

SOCIAL SECURITY

Benefit Card

Mr. Field: To ask the Secretary of State for Social Security if he will make a statement on progress on introducing the Benefit Card. [68822]

Angela Eagle: At present, 204 post offices (89 in the North East, 115 in the South West) are operating Benefit Payment Service for Child Benefit. There are now nearly 36,000 Child Benefit customers using the Benefit Payment Card.

Mrs. Swati Pankhania

Mr. Vaz: To ask the Secretary of State for Social Security for what reasons maternity benefit has not been paid to Mrs. Swati Pankhania of Rushey Mead, Leicester who made an application under reference PW916526C/STBFC/DN; and when he expects payment to be made. [69228]

Mr. Bayley: The administration of Maternity Benefit is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. I have asked him to write to my hon. Friend.

Letter from Peter Mathison to Mr. Keith Vaz, dated 8 February 1999:

I am replying to your recent Parliamentary Question asking for what reasons maternity benefit has not been paid to Mrs Swati Pankhania of Rushey Mead, Leicester.

Maternity Benefit (MB) has not been paid because the independent Adjudication Officer (AO) decided on 2 November 1998 that Mrs Pankhania was not entitled to Maternity Allowance (MA) from 7 December 1997 to 11 April 1998 because she was entitled to Statutory Maternity Pay (SMP) from her employer in respect of the same pregnancy.

I should explain that AOs are statutory office holders. They are required to make impartial decisions based on the application of the law to the facts of the individual case. It would be improper for me, or indeed a Government Minister, to comment on, or interfere in, their decisions.

However, the AO's decision to refuse MA is not a formal decision on the employer's liability to pay SMP. A customer who wants a formal decision on this separate issue must request it from the AO within six months from the earliest day in respect of which liability for SMP is in dispute. The time limit is absolute. I understand that Mrs Pankhania recently made such a request.

Mrs Pankhania now needs to complete form SMP14 explaining fully why she thinks she is entitled to SMP and what she has done to pursue it with her employer. The information that she provides will then be sent to her employer for their comments. Once these have been received the AO will give a formal decision on SMP. If the AO decides that the employer is liable, they have three months in which either to pay SMP or appeal against the decision. If the employer does not appeal and does not pay SMP, the Benefits Agency will take over responsibility for paying it.

I understand that Mrs Pankhania is currently in India. We have sent form SMP14 to her husband who is arranging to forward it to her. Every effort will be made to resolve this issue timeously.

I hope that this is helpful.

Benefit Fraud

Mr. Duncan Smith: To ask the Secretary of State for Social Security if he will instruct the Benefits Agency to investigate allegations that the holidaymakers who were recently ejected from an Airtours flight to Jamaica were fraudulently claiming income-related benefits; and if he will make a statement. [69893]

Mr. Timms: Questions on Benefit Agency operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Iain Duncan Smith, dated 8 February 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if he will instruct the Benefits Agency (BA) to investigate allegations that the holidaymakers who were recently ejected from an Airtours flight to Jamaica were claiming income-related benefits; and if he will make a statement.

The information that the BA holds about its customers is confidential and there are strict rules about its disclosure. I am therefore unable to provide any details about this case.

In general terms, whether fraud is involved in the case of a benefit customer taking a holiday abroad depends on the eligibility rules of the individual benefits involved.

The BA takes benefit fraud very seriously and where proof of wrongdoing is established, a very firm line is taken against the culprits. I can assure you that the BA will fully investigate suspected fraud where there are reasonable grounds to support an enquiry.

I am sorry that I cannot be more helpful.

Child Support Agency

Mr. Field: To ask the Secretary of State for Social Security how much money has been received by the Treasury from CSA payments to offset the cost of single parents met by public funds for each year of the CSA's existence. [69666]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my right hon. Friend.

Letter from Faith Boardman to Mr. Frank Field, dated February 1999:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about maintenance collected by the Child Support Agency.

Since launch in April 1993 to 31 December 1998, a total of £1,927.46 Million (M) in child maintenance has been collected and arranged by the Agency for payment from the non resident parent to the parent with care. Where maintenance has been collected by the Agency £438.72M has been retained for the Secretary of State to offset benefits that have already been paid. A yearly breakdown is provided in the table below.

Child Maintenance collected and arranged since launch

£ million

	Collected and arranged	*Retained for SofS*
Total	1,927.46	438.72
1993–94	12.57	5.75
1994–95	187.40	47.94
1995–96	301.50	68.12
1996–97	399.88	95.71
1997–98	547.14	121.31
1998–99 up to 31 December 1998	478.96	99.89

The problems encountered by the Agency during its first 2–3 years are a matter of public record. From a slow beginning, the amounts of maintenance collected and arranged rose to just over £301M in 1995/6, and to just under £400M in 1996/7.

The £547.14M collected and arranged in 1997/98 represented an increase of 37 per cent on the amount in 1996/97, while the amount retained by the Secretary of State in the same period grew by 27 per cent.

Our emphasis is on getting maintenance flowing, and in doing this supporting the Government's aims for keeping lone parents off benefit and the New Deal arrangements for helping those on benefit into work.

I hope this is helpful.

Mr. William Gallacher

Mr. Gale: To ask the Secretary of State for Social Security when he expects the final resolution in the case of Mr. William Gallacher of Westgate on Sea of his benefit claim; and if he will make a statement relating to the speed with which benefit claims made by the disabled are processed. [69697]

Mr. Bayley: The administration of disablement benefits is a matter for the Chief Executive of the Benefits Agency, Peter Mathison. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Roger Gale, dated 8 February 1999:

I am replying to your recent Parliamentary Question asking when the Secretary of State expects the final resolution to be made in the case of Mr. William Gallacher of Westgate on Sea of his benefit claim; and if he will make a statement relating to the speed with which benefit claims made by the disabled are processed.

Mr. Gallacher's claim for Industrial Injuries Disablement Benefit (IIDB) was received by the Benefits Agency on 8 May 1997. The Adjudication Officer's decision, based on the findings of the Adjudicating Medical Authority on the claim, was issued to Mr. Gallacher on 14 October 1997. This length of time was needed to arrange a medical examination, confirm details of his employment, and contribution history. This information is required in all IIDB claims to confirm if the case satisfies the conditions for entitlement. In Mr. Gallacher's case, the history since 1940 was potentially relevant and needed to be scrutinised.

Mr. Gallacher lodged an appeal, received at the BA processing office on 28 November 1997, against the findings of the Adjudicating Medical Authority. The case was referred to the Independent Tribunal Service on 28 November 1997. A hearing date has been set for 5 March 1999.

The target times for completion of the processing of all Industrial Injuries Disablement Benefit claims are, 60% in 85 days and 90% in 175 days. In Mr. Gallacher's case the decision was issued to him within the second target time.

I hope you find this reply is helpful.

Benefits Agency Staff

Mr. Field: To ask the Secretary of State for Social Security what surveys the Benefits Agency has carried out of the level of job satisfaction among its staff since 1992; and if he will place the results in the Library. [69667]

Angela Eagle: The Administration of the Benefits Agency is a matter for the Chief Executive, Peter Mathison. I have asked him to reply to my right hon. Friend.

Letter from Peter Mathison to Mr. Frank Field, dated 8 February 1999:

I am replying to your recent Parliamentary Question asking what surveys the Benefits Agency has carried out of the level of job satisfaction among its staff since 1992; and if the results will be placed in the Library.

The Department of Social Security carried out a Department-wide staff attitude survey in 1994 which included Benefits Agency staff. Between 1994 and 1998 the Agency has only carried out local surveys. However, towards the end of last year the Benefits Agency commissioned a national staff survey. The report of the results is currently being prepared.

I can confirm that a full copy of the results will be placed in the House of Commons Library. I will ensure that a copy of the BA results from the DSS 1994 survey is also placed in the Library.

I hope you find this reply helpful.

Family Credit

Mr. Hancock: To ask the Secretary of State for Social Security in what percentage of couples receiving Family Credit benefits one partner is not working. [69686]

Angela Eagle: As at August 1998, there were 393,000 couples receiving Family Credit of which 92.3 per cent. (363,000) were cases where the partner was not working.

Note:

Figure is based on a 5 per cent. sample of all Family Credit claimants.

Source:

Family Credit Quarterly Statistical Enquiry, August 1998.

Mr. Hancock: To ask the Secretary of State for Social Security what estimate he has made of the average duration of claim for Family Credit payment. [69937]

Angela Eagle: As at August 1998, the average duration of a claim to Family Credit was 19.9 months.

Note:

Figure is based on a 5 per cent. sample of all Family Credit claimants.

Source:

Family Credit Quarterly Statistical Enquiry, August 1998.

Disability Benefits

Mrs. May: To ask the Secretary of State for Social Security if he will list those disability benefits on which there was an underspend in 1997–98 and the sums involved. [70120]

Mr. Bayley: The information is in the table.

Over this Parliament, expenditure on the four principal disability benefits—Attendance Allowance (AA), Disability Living Allowance (DLA), Incapacity Benefit (IB) and Severe Disablement Allowance (SDA)—is forecast to grow in real terms by 7.0 per cent. This is equivalent to a real increase in annual spending of over £1 billion. Within this wider trend, in 1997–98 there were small differences between forecast and outturn spending for these benefits.

£ million

(1) Benefit	(2) Published forecast for spending in 1997–98	(3) Outturn spending	(4) Difference, column (3) minus column (2)
AA	2,704	2,521	−183
DLA	4,959	4,953	−6
IB	7,617	7,412	−205
SDA	991	999	7

Note:

Forecasts in column (2) are the figures that were published in the 1997 Departmental Report, Cmd 3613.

Family Credit Childcare Disregard

Mr. Webb: To ask the Secretary of State for Social Security if, under the rules for the family credit childcare disregard, a mother who worked for at least 16 hours a week as a registered childminder, and who entered into a contractual relationship with her husband, and who cared on a professional basis for her own children at premises other than the parental home, will be able to disregard the costs to the family of childcare for the purposes of family credit assessment. [70079]

Angela Eagle: For the purposes of the Family Credit disregard, Family Credit General Regulation 13A(2) provides a definition of eligible childcare. Childcare charges paid by a Family Credit claimant to a partner or by a partner to a Family Credit claimant in respect of any child for whom either or any of them is responsible, are not defined as eligible childcare.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Social Security what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69510]

Mr. Timms: The headline pay settlement for this Department, its Agencies and its Non-Departmental Public Bodies was 2.5 per cent. on the paybill and together with the additional funds from staff turnover, staff in post received performance related increases averaging 4.6 per cent. The increases were not staged.

Disabled Children

Mr. Steen: To ask the Secretary of State for Social Security what consultations he has held with groups representing disabled children under five years of age; and what plans he has to make finance available to help the parents of severely-disabled under-fives with the costs of transportation for hospital visits. [68801]

Mr. Bayley: The Government's proposals for people with long-term illnesses and disabilities were outlined in the recent consultation document "A New Contract for Welfare: Support for Disabled People". Consultation ended on 8 January and 342 responses were received. Many of these came from organisations representing disabled people, including three from organisations specifically representing disabled children.

Our proposals included extending the higher rate mobility component of Disability Living Allowance (currently £35.85 a week) to severely disabled 3–4 year olds with a mobility problem. This has been widely welcomed. This help would be neither means tested nor subject to a contribution condition, would be tax free and would give access to the Motability Scheme. No attempt is made to specify how families should spend Disability Living Allowance.

EDUCATION AND EMPLOYMENT

Education Welfare Service

Mr. Cohen: To ask the Secretary of State for Education and Employment if he will make a statement on the work of the Training Advisory Group for the Education Welfare Service. [69623]

Mr. Charles Clarke: The Training Advisory Group for the Education Welfare Service has an important role to play in co-ordinating training provided for education welfare officers and dealing with related questions of professional development. The Department is one of a number of bodies represented on TAG and we are pleased to contribute to its work.

Mr. Cohen: To ask the Secretary of State for Education and Employment if he will list the projects which are funded by the School Inclusion: Pupil Support grant programme which relate *(a)* to an enhanced role for education welfare officers and *(b)* to all other objects. [69624]

Mr. Charles Clarke: The grant will support multiple projects in 134 local education authorities. Many of these involve enhanced roles for education welfare officers (EWOs), particularly as part of multi-disciplinary behaviour support teams. Given the large number of projects and the overlapping, often integrated, work of EWOs and other agencies, identifying and listing individual projects in the manner requested in the question would involve disproportionate cost.

Digital Broadcasting

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Employment what representations he has received from the ITC regarding the provision of digital broadcasting for educational services. [69692]

Mr. Charles Clarke *[holding answer 8 February 1998]:* There have been a number of contacts with the Independent Television Commission over the last year, including both a meeting and exchanges of correspondence.

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Employment how many tenders his Department has received for the provision of digital broadcasting services. [69691]

Mr. Charles Clarke *[holding answer 8 February 1999]:* Responses to tendering exercises conducted by the Department for Education and Employment are treated as commercial in confidence.

New Deal (Young People)

Mrs. May: To ask the Secretary of State for Education and Employment how many young people on the New Deal Scheme have been employed *(a)* as classroom assistants in schools and *(b)* as childcare providers. [70010]

Mr. Andrew Smith *[holding answer 8 February 1999]:* Responsibility for the subject of this question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mrs. Theresa May, dated 9 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply direct to your question about the numbers of young people on New Deal who have been employed as classroom assistants in schools and as childcare providers. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Up to 8 January 1999, 852 young people on New Deal had been placed as childcare assistants (427 in unsubsidised jobs and 425 on the Employment option). A further 731 had been placed on Full-Time Education and Training and Voluntary Sector options in the childcare area.

Unfortunately, similar, information on classroom assistants is not readily available.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Education and Employment what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69518]

Mr. Mudie: The headline pay settlement was 2.5 per cent. on the paybill; and together with the additional funds from staff turnover, staff in post received performance-related increases averaging 3.6 per cent. The increases were not staged.

SSA and LEA Budgets

Mr. Key: To ask the Secretary of State for Education and Employment if he will list *(a)* his Department's recommended standard spending assessment percentage budget increase and *(b)* the percentage increase set by the local education authority for each English local education authority. [69576]

Ms Estelle Morris: The table sets out the underlying increase in the education SSAs for 1999–2000, after allowing for local authority changes of function and new arrangements for music and student support services. My right hon. Friend the Secretary of State has written to all English Local Education Authorities to urge them to match the cash increase in their education SSA with a corresponding cash increase in their education budgets. We will be monitoring the spending plans of authorities when they set their final education budgets to see whether they actually use the cash increases for education services.

Final Education SSAs for 1999–2000

LEA	*Education SSA £ million*	*Change £ million*	*Change %*
City of London	0.8	0.0	1.7
Camden	87.4	4.0	4.8
Greenwich	126.2	6.0	5.0
Hackney	103.6	5.0	5.0
Hammersmith and Fulham	63.2	3.4	5.7
Islington	91.7	4.2	4.7
Kensington and Chelsea	40.2	2.7	7.1
Lambeth	111.4	6.9	6.6
Lewisham	127.5	6.9	5.7
Southwark	124.2	7.8	6.7
Tower Hamlets	145.6	8.0	5.9
Wandsworth	98.2	4.9	5.3
Westminster	66.8	4.3	6.9
Barking and Dagenham	84.3	5.2	6.6
Barnet	135.9	7.4	5.8
Bexley	105.9	6.0	6.0
Brent	123.1	5.8	4.9
Bromley	125.8	7.5	6.3
Croydon	140.4	8.0	6.1
Ealing	129.4	7.0	5.7
Enfield	139.3	8.0	6.1
Haringey	110.6	7.5	7.2
Harrow	81.1	3.5	4.5
Havering	99.0	4.5	4.8
Hillingdon	107.9	5.6	5.5

Final Education SSAs for 1999–2000

LEA	*Education SSA £ million*	*Change £ million*	*Change %*
Hounslow	107.1	5.4	5.3
Kingston upon Thames	53.4	2.7	5.2
Merton	66.3	3.2	5.1
Newham	156.6	10.3	7.0
Redbridge	118.4	8.6	7.9
Richmond upon Thames	52.5	2.8	5.7
Sutton	78.8	4.6	6.2
Waltham Forest	111.1	7.0	6.8
Birmingham	506.0	23.3	4.8
Coventry	136.1	6.1	4.7
Dudley	120.4	6.5	5.7
Sandwell	136.0	6.4	4.9
Solihull	88.0	5.5	6.7
Walsall	124.6	6.8	5.8
Wolverhampton	111.9	5.7	5.4
Knowsley	85.2	4.0	5.0
Liverpool	238.3	9.3	4.1
St. Helens	76.5	3.0	4.1
Sefton	122.2	6.1	5.2
Wirral	148.7	6.8	4.8
Bolton	117.5	6.0	5.4
Bury	71.5	3.9	5.8
Manchester	207.7	9.6	4.9
Oldham	108.6	5.3	5.1
Rochdale	96.9	5.1	5.6
Salford	95.2	4.6	5.1
Stockport	104.4	5.5	5.5
Tameside	95.6	5.4	6.0
Trafford	91.1	6.5	7.7
Wigan	125.3	6.3	5.3
Barnsley	87.4	4.4	5.3
Doncaster	136.1	6.2	4.7
Rotherham	116.1	6.6	6.0
Sheffield	195.0	11.1	6.0
Bradford	233.8	9.5	4.2
Calderdale	88.2	5.0	6.0
Kirklees	164.3	8.3	5.3
Leeds	292.4	14.8	5.3
Wakefield	129.0	6.5	5.3
Gateshead	78.3	3.4	4.6
Newcastle upon Tyne	111.0	5.0	4.7
North Tyneside	77.6	3.4	4.6
South Tyneside	68.8	3.4	5.1
Sunderland	129.1	5.7	4.6
Isles of Scilly	1.2	0.0	0.8
Cambridgeshire	190.9	11.3	6.3
Cheshire	263.8	13.8	5.5
Cornwall	189.8	11.1	6.2
Cumbria	195.5	10.0	5.4
Devon	243.8	15.9	7.0
Essex	524.1	29.2	5.9
Gloucestershire	214.8	12.7	6.3
Herefordshire	61.1	4.1	7.3
Worcestershire	198.2	10.9	5.8
Hertfordshire	446.5	23.6	5.6
Kent	553.5	29.7	5.7
Lancashire	468.5	25.3	5.7
Lincolnshire	250.7	15.3	6.5
Norfolk	286.5	17.4	6.5
Northamptonshire	257.8	14.8	6.1
Northumberland	129.3	6.3	5.2
Nottinghamshire	296.0	16.4	5.9
Oxfordshire	217.4	10.2	4.9
Shropshire	100.8	5.7	6.0
Somerset	175.6	10.9	6.6
Suffolk	250.3	14.1	5.9
Surrey	358.3	21.1	6.3
Warwickshire	187.6	10.1	5.7
West Sussex	269.2	15.5	6.1
North Yorkshire	219.6	13.6	6.6
Bedfordshire	161.0	7.4	4.8
Buckinghamshire	193.6	10.4	5.7
Derbyshire	272.4	15.6	6.1
Dorset	135.3	9.2	7.3
Durham	203.4	9.6	4.9
East Sussex	174.3	10.1	6.2
Hampshire	446.8	24.9	5.9
Leicestershire	228.2	13.6	6.3
Staffordshire	323.1	18.2	6.0
Wiltshire	159.1	10.1	6.8
Isle of Wight	53.2	2.6	5.1
Bath & North East Somerset	62.3	3.3	5.6
Bristol	134.2	7.0	5.5
North Somerset	68.0	3.6	5.6
South Gloucestershire	93.8	6.3	7.2
Hartlepool	42.6	2.2	5.4
Middlesbrough	68.5	3.1	4.8
Redcar and Cleveland	66.2	2.9	4.6
Stockton-on-Tees	82.1	4.5	5.8
Kingston-upon-Hull	114.8	5.2	4.8
East Riding	121.3	7.4	6.5
North East Lincolnshire	73.0	3.1	4.5
North Lincolnshire	65.0	3.2	5.2
York	60.3	3.5	6.1
Luton	87.6	4.3	5.2
Milton Keynes	92.7	4.3	4.9
Derby	96.8	5.3	5.8
Poole	50.0	3.2	6.9
Bournemouth	55.8	3.3	6.3
Darlington	39.7	2.2	6.0
Brighton and Hove	82.8	4.9	6.3
Portsmouth	72.8	4.1	6.0
Southampton	87.4	5.0	6.1
Leicester	134.9	5.6	4.3
Rutland	11.6	0.4	3.8
Stoke on Trent	99.5	3.9	4.1
Bracknell Forest	41.6	2.0	5.1
Windsor and Maidenhead	51.1	2.4	4.8
West Berkshire	60.9	3.5	6.1
Reading	48.0	2.7	5.9
Slough	59.0	3.3	5.9
Wokingham	58.5	3.0	5.4
Peterborough	78.9	2.5	3.2
Halton	59.4	2.5	4.5
Warrington	78.5	4.6	6.2
Plymouth	107.7	5.9	5.8
Torbay	49.9	3.4	7.3
Southend	68.9	3.9	6.1
Thurrock	60.5	3.9	6.8
Medway Towns	118.0	6.0	5.3
Blackburn	70.7	2.7	4.0
Blackpool	52.8	3.4	6.9
Nottingham City	116.7	6.1	5.5
The Wrekin	66.2	3.9	6.2
Swindon	73.3	5.7	8.5
England	20,414.0	1,100.0	5.7

Schedule 2a Students

Mr. Chaytor: To ask the Secretary of State for Education and Employment for each of the last three years, how many students in further education colleges were registered as students on schedule 2a courses without having been entered for the appropriate examination. [68736]

Mr. Mudie: Information on the number of students in English further education (FE) sector colleges registered as students on schedule 2a courses without having been entered for the appropriate examination is not available. The number of students enrolled on schedule 2a courses in English FE sector colleges for each of the last three years is:

Year	*Thousand*
1994–95	1,226.0
1995–96	1,664.5
1996–97	2,315.2

TREASURY

Unemployment (Scotland)

Mr. Chisholm: To ask the Chancellor of the Exchequer how many *(a)* 16 and 17-year-olds in Scotland and *(b)* 18 to 24-year-olds in Scotland are unemployed according to the ILO definition. [68771]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Malcolm Chisholm, dated 9 February 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on young people who are unemployed in Scotland.

The ONS measure of unemployment, derived from the Labour Force Survey (LFS), is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are: a) without a paid job; b) available to start work within the next two weeks and c) have either looked for work in the last four weeks or are waiting to start a job already obtained.

The Autumn 1998 (September-November) quarterly Labour Force Survey estimates that the number of ILO unemployed in Scotland aged (a) 16–17 year olds is 22,000 and (b) 18–14 year olds is 48,000. These estimates are not seasonally adjusted.

Standard Chartered Bank

Mr. Vaz: To ask the Chancellor of the Exchequer if he has *(a)* met the Governor of the Bank of England to discuss the activities of Standard Chartered Bank and *(b)* called for a report from the Governor of the Bank of England on Standard Chartered Bank's involvement in India; when he last met the Chairman of Standard Chartered Bank; and what changes to the system of banking supervision he plans following the involvement of Standard Chartered Bank in India. [69084]

Ms Hewitt: The Chancellor has regular meetings with the Governor of the Bank of England at which a wide range of issues is discussed. He also receives regular reports from the Bank. There is no record of him meeting the Chairman of Standard Chartered Bank since his appointment as Chancellor. On coming into office, the Government announced their proposals to reform the system of financial supervision. The first stage was the Bank of England Act 1998 which transferred banking supervision to the Financial Services Authority. A further Bill implementing the reforms in full was published, in draft, for consultation last July. The Government are considering the response and will introduce the Bill in the next Session of Parliament.

Travel Insurance

Mr. Fearn: To ask the Chancellor of the Exchequer if he will estimate the percentage of travel insurance which was bought from *(a)* travel agents and tour operators and *(b)* other sources in (i) 1992, (ii) 1995 and (iii) 1998. [69376]

Ms Hewitt: A report of the Monopolies and Mergers Commission on Foreign Package Holidays published in December 1997 (Cmnd 3813) gives the following information:

Distribution of sales of travel insurance by outlet, 1992 to 1996

Percentage

	1992	*1994*	*1996*
Travel agent	63	64	58
Tour operators	25	23	19
Sub-total	88	84	19
Direct	5	5	7
Bank/Building Society	3	4	6
Others	4	7	10

Source:

Mintel

Aviation Tax

Mr. Dafis: To ask the Chancellor of the Exchequer if the Government will support proposals for an aviation tax in future European Union negotiations. [69472]

Ms Hewitt: There no proposals for an aviation tax as such. As was made clear in the White paper on the future of transport, the Government support international action through the International Civil Aviation Organisation (ICAO) to remove the international tax exemption for aviation fuels.

In June 1997 we welcomed the initiative by the Dutch Presidency of the EU which led to the study on the competitive and environmental effects on the EU of a unilateral aviation fuel tax and look forward to its publication later this year. We will consider our position in the light of the conclusions of this study.

Public Bodies

Dr. Tony Wright: To ask the Chancellor of the Exchequer which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69912]

Ms Hewitt: One executive non-departmental body sponsored by the Chancellor's departments has a statutory base. It is the Policyholders Protection Board, created by the Policyholders Protection Act 1975.

The ambit of the Office of the Parliamentary Commissioner for Administration does not extend to the conduct of the Board's business.

Dr. Tony Wright: To ask the Chancellor of the Exchequer which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69982]

Ms Hewitt: There is one executive non-departmental body sponsored by the Chancellor's departments. It is the Policyholders Protection Board. The Board:

(a) does not admit members of the public to board meetings or committee meetings;

(b) does not hold public meetings;

(c) includes a representative of policyholders interests in accordance with the Policyholders Protection Act, 1975;

(d) does not operate a formal appeal or complaints procedure.

Dr. Tony Wright: To ask the Chancellor of the Exchequer which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69942]

Ms Hewitt: There is one executive non-departmental body sponsored by the Chancellor's departments. It is the Policyholders Protection Board.

The Board does not publish the minutes of meetings, agendas of meetings, documents for those meetings, or a register of members' interests. It does, however, publish an annual report, and there are statutory provisions on disclosure of members' interests in matters falling to be considered by the Board.

Industrial Action

Mr. Chidgey: To ask the Chancellor of the Exchequer (1) how many cases of industrial action involving random one-day strikes called over a period have taken place; and in how many cases the period of random action has exceeded eight weeks, in each year from 1993 to 1998; [69563]

(2) in how many cases industrial actions in the form of strikes have extended beyond eight weeks in each year from 1993 to 1998. [69564]

Ms Hewitt *[holding answer 8 February 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Chidgey, dated 9 February 1999:

As Director of the Office for National Statistics, I have been asked to reply to your recent parliamentary questions on industrial action in each year from 1993 to 1998.

I am unable to provide information in the form requested. The duration of a dispute is classed as the total number of days of strike action, not the length of time the parties were in dispute. I have provided information on this basis in the attached tables.

Table 1

The following table shows the number of stoppages beginning in each year from 1993 to 1997, which involved forty days or more of strike action[1], whether or not these covered consecutive working days.

Year	*Stoppages beginning in year*
1993	7
1994	2
1995	8
1996	4
1997	3
1998[2]	n/a

[1] It is assumed that an eight week period includes forty working days. The duration of a dispute is classed as the total number of days of strike action, not the length of time the parties were in dispute.

[2] Provisional data for 1998 will be available mid-March 1999, final data for 1998 will be available mid-April 1999.

Table 2

The following table shows the number of stoppages in progress, in each year from 1993 to 1997, which did not exceed one day in duration.

Year	*Stoppages in progress*
1993	119
1994	118
1995	139
1996	118
1997	106
1998[1]	n/a

[1] Provisional data for 1998 will be available mid-March 1999, final data for 1998 will be available mid-April 1999.

Ministerial Travel

Mr. Maples: To ask the Chancellor of the Exchequer to which public expenditure vote the cost of the use of RAF and charter flights by Treasury Ministers is charged. [70076]

Dawn Primarolo: Treasury Ministers' travel costs are charged to Class XVI Vote 1.

Green-field Development

Mr. Steen: To ask the Chancellor of the Exchequer if he will abolish capital gains tax roll-over relief on the sale proceeds of green-field development land. [68799]

Dawn Primarolo: Capital gains roll-over relief is available when the proceeds from the disposal of assets used only for the purpose of a trade are invested in new assets which, on acquisition, are taken into use, and used only, for the purposes of a trade. There are no plans to change that.

Building Societies

Mr. Pike: To ask the Chancellor of the Exchequer (1) what representations he has received regarding building societies during the last 12 months; and if he will make a statement; [68436]

(2) what recent discussions his Department has had with building societies; and if he will make a statement; [68438]

(3) what proposals he has for legislation to protect the principle of mutuality; and if he will make a statement. [68437]

Ms Hewitt: The Treasury has regular discussions with building societies and their representatives, who have put forward a number of proposals for legislation in recent years. Many of them, however, involve reducing Boards' accountability, or otherwise limit the rights of members—especially the less well off. This seems to the Government to be incompatible with the fundamental principles of mutuality. The Government have, however, increased the turnout threshold on conversion votes from 20 to 50 per cent., to ensure that conversions can occur only with the clear endorsement of members.

AGRICULTURE, FISHERIES AND FOOD

Animal Exports

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food when he plans to introduce *(a)* reforms to the way in which veterinary surgeons are nominated to carry out pre-export inspections of farm animals and *(b)* new guidelines as to how such inspections should be conducted; and if he will make a statement. [67937]

Mr. Morley: We are actively working to finalise the new procedural guidelines and administrative arrangements, together with proposals on the charges livestock exporters would need to pay. Introduction of the proposed new charging arrangements would require the adoption of a statutory instrument, and the timing of this would be influenced by the devolution arrangements for Scotland and Wales.

Tobacco

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what are the principal *(a)* domestic and *(b)* export markets for tobacco grown in the European Union under subsidy. [69326]

Mr. Rooker: The specific information requested is not available. However, the European Commission's 1997 report on the common organisation of the market in raw tobacco says that the European Union consumes about 23 per cent. of its tobacco production. The main export markets for EU raw tobacco are the former-USSR, Central and Eastern European Countries, North Africa and the USA.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will list the member states of the EU which will benefit from financial support from the FEOGA budget in the current financial year for their tobacco growing industries. [69324]

Mr. Rooker: The eight producer Member States under the EU tobacco regime are: Austria, Belgium, France, Germany, Greece, Italy, Portugal and Spain.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food how many people are employed as a result of grant-assisted tobacco growing in the European Union. [69325]

Mr. Rooker: The European Commission's 1997 report on the common organisation of the market in tobacco says that there are about 135,000 tobacco farmers in the Community, and that the number of people who earn their living farming tobacco exceeds this figure. In addition, the report says that some 30,000 people were employed in the first processing of tobacco in 1990 (including seasonal jobs).

There is no information to relate employment in the EU tobacco sector to availability of the Community support to tobacco production.

Dairy Farms (Closures)

Mr. Oaten: To ask the Minister of Agriculture, Fisheries and Food how many dairy farms were closed as a result of action taken following farm inspection reports in each year since 1995–96. [69704]

Mr. Rooker: The table shows the number of production holding registrations withdrawn by financial years. Certain of these withdrawals were temporary as production holdings may be re-registered once they have made the necessary adjustments to comply with legislative requirements.

Year	*Number*
1994–95	62
1995–96	29
1996–97	73
1997–98	51

Ministerial Flights

Mr. Terry Lewis: To ask the Minister of Agriculture, Fisheries and Food when he expects to answer the question tabled by the hon. Member for Worsley on 25 January concerning ministerial flights (ref. 67363). [69627]

Mr. Nick Brown: Shortly.

TRADE AND INDUSTRY

Departmental Documents (Right hon. Member for Hartlepool)

Mr. Paterson: To ask the Secretary of State for Trade and Industry if he will publish all his Department's internal documents relating to the loan by the hon. Member for Coventry, North-West (Mr. Robinson) to his predecessor, the right hon. Member for Hartlepool (Mr. Mandelson). [67333]

Mr. Byers *[holding answer 27 January 1999]:* No. All information in the DTI's possession on matters of substance relating to the loan is already in the public domain.

Arms Exports

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if he will place in the Library details of the licensing of military contracts to Jakarta in the last five years. [68843]

Dr. Howells: The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated and the following results were obtained. Between 1 January 1994 and 31 December

1998, 301 Standard Individual Export Licences (SIELs) were issued covering the export to consignees or end-users in Indonesia of goods subject to export control by being listed in Part III of Schedule 1 to the Export of Goods (Control) Order 1994, the so-called Military List. Individual licences may cover a range of goods with various ratings. Where this is so, the licence is included in the Table in the total for all of the relevant ratings.

SIELs issued in each calendar year covering the export to Indonesia of goods on the Military List

	Number of SIELs issued in each year covering goods with this rating				
Rating	*1994*	*1995*	*1996*	*1997*	*1998*
ML1	4	4	1	0	2
ML2	5	2	3	3	2
ML3	3	3	1	0	1
ML4	3	1	0	2	1
ML5	6	4	1	3	1
ML6	4	13	9	4	1
ML7	1	0	2	1	0
ML8	2	0	0	0	0
ML9	4	0	1	0	1
ML10	10	8	27	17	16
ML11	22	13	15	19	9
ML13	1	1	6	4	2
ML14	4	4	3	2	2
ML15	2	6	4	1	2
ML16	0	0	0	0	0
ML17	0	0	0	0	0
ML18	0	0	1	0	0
ML21	0	0	0	0	2
ML22	0	0	0	0	1
ML24	0	1	3	1	0
PL5001	0	0	0	0	0
PL5002	0	1	0	0	0
PL5006	1	2	2	0	2
PL5017	0	0	1	0	2
PL5024	0	0	0	0	0
PL5027	2	3	0	0	0
Total number of such licences	68	60	77	55	41

This information should be considered in light of the answer given by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

As regards Open Individual Export Licences, I shall write to my hon. Friend as soon as possible and place a copy of that letter in the Library of the House.

In addition, goods on the Military List may have been exported to Indonesia under certain Open General Export Licences; copies of all Open General Export Licences valid at any time during the period are in the Library of the House.

Fireworks

Mr. Nigel Griffiths: To ask the Secretary of State for Trade and Industry if he will take steps, including a campaign of public information, to ensure that the code of practice on fireworks as it relates to the timing of firework sales is not breached in connection with the celebration of the new millennium. [69615]

Dr. Howells: The present voluntary code of practice relates to sales of fireworks in the run-up to Bonfire Night. Officials in the DTI will be contacting fireworks suppliers to discuss the issue of the sale of fireworks for the Millennium celebrations.

Lucas Varity

Mr. John M. Taylor: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 February 1999, *Official Report*, columns *584–85*, regarding Lucas Varity, if it is his policy that his Department would not intervene in the takeover on grounds other than competition. [69699]

Dr. Howells *[holding answer 8 February 1999]:* If any proposed acquisition were to fall to the UK authorities under the Fair Trading Act 1973, the Director General of Fair Trading (DGFT) would advise my right hon. Friend the Secretary of State for Trade and Industry whether or not the merger should be referred to the Monopolies and Mergers Commission for investigation. In formulating his advice on merger cases, the DGFT takes into account any representations he receives on competition and other public interest issues. The Secretary of State would take his decision in the light of the DGFT's advice. Each case is considered on its own merits.

If any proposed acquisition were to fall to the EC Merger Regulation the European Commission would assess the acquisition~~'s effect on~~ competition. In commenting on the acquisition we would therefore not normally give our views on grounds other than competition.

Mr. John M. Taylor: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 February 1999, *Official Report*, columns *584–85*, regarding Lucas Varity, if he will take steps to establish whether the takeover will fall within the jurisdictions of *(a)* the UK authorities and *(b)* the European Commission. [69698]

Dr. Howells *[holding answer 8 February 1999]:* The European Commission would decide whether any proposed acquisition fell within the scope of the EC Merger Regulation. If it were not to fall within the scope of the EC Merger Regulation it would fall to the UK authorities under the Fair Trading Act 1973.

Dismissals (Breach of Contract)

Mr. Chidgey: To ask the Secretary of State for Trade and Industry how many employees were dismissed for breach of contract on the ground that they took industrial action by going on strike, in each year from 1993 to 1998. [69594]

Mr. Ian McCartney *[holding answer 8 February 1999]:* These figures are not collected.

Unfair Dismissal

Mr. Chidgey: To ask the Secretary of State for Trade and Industry how many cases of unfair dismissal were brought before industrial tribunals in each year from 1993 to 1998; how many cases were proven in each year; what was the average award in each year; and what was the total of the awards made in each year. [69595]

Mr. Ian McCartney *[holding answer 8 February 1999]:* Information for financial years commencing 1 April 1993 is shown in the table. The outcome of a case may appear in a later year than the one in which it was registered.

Year	*Applications registered*	*Number successful at hearing (%)*	*Average award*	*Number of awards*
1993–94	41,801	5,952 (44.0)	2,773	3,113
1994–95	38,363	4,829 (39.3)	3,289	2,998
1995–96	39,580	4,325 (38.0)	2,499	2,099
1996–97	39,018	[1]2,910 (34.6)	[1]2,575	[1]1,696
1997–98	37,366	4,418 (40.1)	[2]—	[2]—

[1] Information on tribunal outcomes is not available for the whole of 1996–97 as a result of procedural changes. The information given relates to cases registered before 1 September 1996 and disposed of in that year.

[2] Information is not yet available.

Petrol Industry

Mr. Boswell: To ask the Secretary of State for Trade and Industry when he expects to receive the report of the Inquiry by the Director General of Fair Trading into the 1966 undertakings by petrol suppliers; and if he will publish it. [69761]

Dr. Howells *[holding answer 8 February 1999]:* My right hon. Friend and I expect to receive advice from the Director General of Fair Trading regarding the 1966 petrol undertakings within the next month. The Director General's advice is given in confidence. I will announce my decision on the undertakings in due course.

Mr. Boswell: To ask the Secretary of State for Trade and Industry (1) what studies he has *(a)* made and *(b)* commissioned into contractual arrangements introduced by petrol suppliers since 1 January 1989; and what assessment he has made as to their conformity with fair competitive practice; [69758]

(2) what assessment he has made of the terms of the partnership licence agreement currently used by Esso Petroleum; [69756]

Dr. Howells *[holding answers 8 February 1999]:* My Department has neither made nor commissioned such studies or assessments since 1 January 1989. The Director General of Fair Trading is responsible for keeping the operation of markets and the state of competition under review.

The Office of Fair Trading was asked by Esso in 1992 to consider its new partnership licence agreement. OFT concluded that the terms were not manifestly unfair or unreasonable and therefore not in breach of paragraph 19 of the 1966 undertakings. The Petrol Retailers Association were informed of OFT's view on 8 December 1992. The OFT's view remains unchanged.

No other new petrol licence agreements have been considered by OFT.

The Director General has examined the petrol market a number of times since the MMC last reported in 1990, and on each occasion concluded that competition in the petrol market was effective and serving consumers well.

Mr. Boswell: To ask the Secretary of State for Trade and Industry how his Department monitors retail petrol industry gross margins and pump prices; and what assessment he has made of the monitoring's effectiveness in assuring consistency of treatment under *(a)* UK and *(b)* European competition law. [69757]

Dr. Howells *[holding answer 8 February 1999]:* My Department collects information about pump prices from retailers. This information is published in Energy Trends and in the Advanced Energy Statistics Press Notice.

The Office of Fair Trading is responsible for monitoring markets and considering complaints about anti-competitive practices in the UK. OFT monitors gross margins on petrol and petrol pump prices using information from published sources and my Department. Successive studies of the supply of petrol in the UK by OFT, including that published in May 1998, have led OFT to conclude that competition in the petrol market is effective and serving consumers well.

The application of EC competition law is the responsibility of Directorate General IV of the European Commission.

Employment Relations Bill

Mr. Chidgey: To ask the Secretary of State for Trade and Industry what estimates his Department has made of the current compliance costs of the Parental Leave Directive to the United Kingdom, in the context of the Employment Relations Bill; how many newly-entitled employees there will be; how many are expected to be *(a)* full-time and *(b)* part-time workers; and how many in each category are expected to be employed in firms with workforces (i) up to 10, (ii) up to 20, (iii) up to 50, (iv) up to 250 and (v) over 250. [69562]

Mr. Ian McCartney *[holding answer 8 February 1999]:* Estimates are not available in the form requested. However, the Regulatory Impact Assessment for the Employment Relations Bill, which has now been published, estimates the compliance costs of our proposals to implement the Directive at £36 million per year to employers. The estimate assumes that beneficiaries will include some 61,500 parents per year who will take up the new entitlement to parental leave, and 560,000 employees who will be protected by the statutory right when they take time off to deal with a domestic emergency. Full-time and part-time employees will be entitled to the new rights on the same basis.

Welsh Stamps

Mr. Wigley: To ask the Secretary of State for Trade and Industry if he will ensure that Welsh stamps are available in all Welsh post offices. [70054]

Mr. Ian McCartney: The Post Office is fully committed to implementation of its Welsh Language Scheme and reports progress annually to the Welsh Language Board. Welsh definitive stamps are already widely available at post offices in Wales and The Post Office is currently reviewing its supply process to improve the availability of stock.

Internet Watch Foundation

Mr. Coaker: To ask the Secretary of State for Trade and Industry when he intends to publish the review of the Internet Watch Foundation; and if he will make a statement. [70364]

Mr. Wills: Copies of the review of the Internet Watch Foundation, conducted by KPMG and Denton hall, were placed in the Libraries of the House of Commons and the House of Lords this morning. The report is also available on the Department's website. The report commends the success of the IWF since its inception in 1996, and makes recommendations for improvement to keep pace with the rapid developments taking place in the Internet industry.

The IWF's structure, hotline operations and relationship with the Internet industry, Metropolitan Police and National Criminal Intelligence Service were all examined as part of the review. Work on developing rating systems, future activities and funding arrangements were also considered.

Findings show a steady increase in the number of reports of potentially illegal material received and processed by the IWF, mainly from outside the UK. Other key points include:

there were 453 actionable reports of illegal material on the Internet from December 1996 until end of August 1998;

the IWF has made an important contribution in tackling child pornography, which accounts for almost 90 per cent. of material that is assessed by the Foundation as illegal;

the IWF has played a leading role in developing content rating and filtering systems for Internet content that is legal, but that may be harmful or offensive; and

low public and industry awareness of the IWF (particularly among non-users of the Internet).

The report puts forward a series of recommendations, including:

raising awareness of the IWF through a publicity campaign, to include: printed and electronic material for current and new users; web pages with hot links to the IWF site; mailings and promotional material with CD Roms;

further work on developing rating systems and filtering technologies and deciding how to tackle real time Internet chat services which could pose a danger to children;

drawing in UK Internet Service Providers not tied into IWF;

improving Police/IWF communication; for example, through developing working procedures and regular formal feedback;

further work on potentially illegal adult pornography;

better co-operation with watchdogs responsible for illegal material other than child pornography: for example, financial scams, copyright infringement and racism; and

improved management structure and funding, including a higher representation of public bodies and charities on the Policy Board.

The report demonstrates the IWF's success to date in dealing with complaints about child pornography on-line and in developing content rating and filtering systems which will enable people to filter out legal, but offensive material from their PCs. But the Report also shows that a good deal more work needs to be done. I welcome the report's recommendations for the further development of the IWF and encourage the Internet Industry and the IWF to consider them carefully as a basis for developing the IWF's work in future.

Mobile Telecommunications Networks

Mr. Plaskitt: To ask the Secretary of State for Trade and Industry what progress has been made towards issuing licences under the Wireless Telegraphy Acts for operators of third generation mobile telecommunications networks. [70363]

Mr. Wills: Good progress has been made in consultation with industry in developing detailed plans for an auction of licences for third generation (3G) mobile telecommunications. The Government have been considering further how to provide benefits to the full range of customers from increased and sustainable competition in view of the opportunities presented by the Information Age.

Key issues addressed in consultation have included:

(i) means of helping potential new entrants to the mobile market in the UK compete on a fair basis;

(ii) the opportunities provided by technical development affecting the proposed number and design of licences.

In the light of these consultations the Government remain committed to their overall aim and objectives, which are those previously described to the House by my hon. Friend the present Financial Secretary on 18 May 1998, *Official Report,* column *233.* In particular, the Government continue to attach great importance to the further development of competition in the sector, including promotion of sustainable market entry. To this end it is minded to ensure the availability for a period of roaming onto second generation networks by any new entrants to the mobile market. It is also initiating a further brief consultation on the specific proposal that five licences be offered, a larger one being reserved for a new entrant.

The Government expect that, subject to market and other developments and to final decisions nearer the time, the auction will take place in the second part of the financial year 1999–2000.

In carrying out its further work, the Department will continue fully to consult industry, and to publish all relevant information on the Radiocommunications Agency website at "www open.gov.uk/radiocom/".

Insolvency Service Disqualification Unit

Mr. Chope: To ask the Secretary of State for Trade and Industry what the income and expenditure of the Insolvency Service has been in each of the last three years attributable to the disqualification of directors; and what proportion of the costs were borne by *(a)* the Disqualification Unit of the Insolvency Service and *(b)* official receivers. [69641]

Dr. Howells: The income attributable to the disqualification of directors is the recovery of costs awarded against disqualified directors and is shown in the annual published accounts of The Insolvency Service as follows:

Year	*£000*
1995–96	479
1996–97	671
1997–98	1,456

The expenditure of The Insolvency Service attributable to the disqualification of directors is as follows:

	£000	£000	Disqualification Unit official receivers total
1995–96	10,185	4,878	15,063
1996–97	14,885	4,218	19,103
1997–98	17,727	4,286	22,013

The Insolvency Service is funded through the DTI's Vote.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Trade and Industry what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69509]

Mr. Byers: For the main DTI bargaining unit, the headline pay settlement was 2.55 per cent. This, taken together with additional funds from staff turnover, resulted in staff in post receiving performance related increases averaging 4 per cent. The increases were not staged.

Maternity Leave

Mr. Chidgey: To ask the Secretary of State for Trade and Industry what have been the costs of maternity leave to the United Kingdom in each year since 1994; and what proportion of these costs relate to employees in firms with workforces *(a)* up to 10, *(b)* up to 20, *(c)* up to 50, *(d)* up to 250 and *(e)* over 250. [69596]

Mr. Ian McCartney: The information requested is not available. However, the costs of providing maternity leave will differ according to the arrangements in individual companies, many of which provide more than statutory entitlements.

We estimate that there are about 370,000 pregnant employees in any one year. The costs of meeting the statutory requirement to pay out Statutory Maternity Pay and Maternity Allowance to women who qualify for them are set out in the table. Employers are reimbursed 92 per cent. of the cost of Statutory Maternity Pay, with small employers reimbursed in full. The Department of Social Security pays out Maternity Allowance.

£ million

Tax year	*Statutory Maternity Pay expenditure*	*Total Maternity Allowance expenditure*	*Maternity Allowance expenditure for employees*
1994–95	480	27	10
1995–96	524	29	12
1996–97	341	33	14

Notes:

1. Expenditure on Statutory Maternity Pay for any year may take into account adjustments made by the Government Actuary in respect of recoveries made by employers for earlier years.

2. Figures are for Great Britain.

3. Expenditure on Maternity Allowance for employees is estimated from a 1 per cent. sample of awards to Maternity Allowance.

4. The latest year for which information is available for both Statutory Maternity Pay and Maternity Allowance is 1996–97.

Source:

National Insurance Fund Accounts

CABINET OFFICE

Civil Service Pay Awards

Dr. David Clark: To ask the Minister for the Cabinet Office what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69521]

Dr. Jack Cunningham: The headline pay settlement (excluding Agencies) was 3 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance-related increases averaging 4.5 per cent. The increases were not staged.

FOREIGN AND COMMONWEALTH AFFAIRS

Private Military Companies

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will publish the guidelines which were introduced following the Legg report for his officials when dealing with representatives of private military companies. [69354]

Mr. Tony Lloyd: The guidelines introduced on 24 July were intended for internal use only pending preparation of more detailed guidance in consultation with other Government Departments.

We intend to make the revised guidance available to Parliament and to companies or individuals who request it. The Foreign Affairs Committee will also receive a copy of the final version.

Ann Clwyd: To [illegible] the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the operational involvement of British private military companies in the recent hostilities in *(a)* Sierra Leone, *(b)* the Democratic Republic of Congo and *(c)* Angola; and if he will set out the Government's definition of a private military company. [69391]

Mr. Tony Lloyd: We have no confirmed reports of the involvement of British private military companies in combat operations in the recent hostilities in Sierra Leone, Angola or the Democratic Republic of Congo.

There is currently no agreed Whitehall-wide definition of a private military company. The Government are drawing up guidance on private military companies. This will be made available to Parliament and to companies or individuals who request it.

Trinidad and Tobago

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Trinidad Government about the cessation of the jurisdiction of the Privy Council over appeals from Trinidad and Tobago; and if he will make a statement. [69647]

Mr. Tony Lloyd: I refer my hon. Friend to the answer given today by my hon. Friend the Minister of State, the Lord Chancellor's Department, *Official Report*, column *181*.

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made relating to prisoners on death row in Trinidad; and if he will make a statement. [69646]

Mr. Tony Lloyd: We call on all countries to abolish the death penalty. Where the death penalty is used we urge that it should be used only in accordance with the State's international obligations and international standards. Together with our EU partners we have made a number of representations in Trinidad and Tobago on the cases of individual death row inmates.

Last year, together with our EU partners, we also urged Trinidad and Tobago to revoke their decisions to withdraw from the American Convention on Human Rights and to denounce and re-accede to the first Optional Protocol to the International Covenant on Civil and Political Rights with a reservation on death penalty issues.

We have also held a number of bilateral discussions on the subject of the death penalty with members of the Trinidadian Government, including discussions at the Caribbean Forum in Nassau, chaired by my right hon. Friend the Foreign Secretary, and attended by members of the Trinidadian Government. My noble Friend the Parliamentary Under-Secretary, Baroness Symons, also invited the Trinidad and Tobago High Commissioner to call on her in response to their individual cases where death warrants had been served. We are currently considering, with EU partners, what further representations to make to the Trinidad and Tobago Government.

Gibraltar

Mr. Fallon: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February 1999, *Official Report*, column *496*, when the Bay of Gibraltar was first described as the Bay of Algeciras in a paper laid before Parliament. [69661]

Ms Quin *[holding answer 8 February 1999]:* Usage of this geographical term is as described in my answer to the hon. Member for Sevenoaks of 1 February 1999, *Official Report*, column *496*. This has no implications for our position on sovereignty over British waters around Gibraltar. It is not practical to conduct a survey of past usage, but I understand that both terms have been used in public documents in the past.

Chechnya

Mrs. Browning: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 January 1999, *Official Report*, column *212*, for what reasons his Department received the Interfax report on the hostages in Chechnya over 24 hours after it was issued. [70239]

Mr. Tony Lloyd: This media report from Chechnya was accessed in the FCO at about 0900 GMT on 7 December, when the relevant FCO officials started work.

Mrs. Browning: To ask the Secretary of State for Foreign and Commonwealth Affairs, (1) pursuant to his answer of 21 January 1999, *Official Report*, column *536*, what action was taken by the Moscow Embassy on receipt of the Interfax report on the hostages in Chechnya; [70240]

(2) pursuant to his answer of 26 January 1999, *Official Report*, column *212*, what action was taken by his Department on receipt of the Interfax report on the hostages in Chechnya. [70241]

Mr. Tony Lloyd: This Interfax report was inaccurate in several important respects, as current investigations into the murders of the hostages in Chechnya confirm. Our information at the time of the report supported this assessment. We had seen nothing then, or since, to indicate that the hostages had ever been held outside Chechnya. H.M. Embassy had been in recent close contact with the Russian authorities, who had undertaken to inform us if they obtained any detailed information on the location of the hostages. It was clear then, as now, that no Russian rescue operation was planned. The media report followed a long series of similarly unreliable reports from Chechnya seen by the FCO during the previous 18 months.

As is usual in such cases, FCO officials circulated the report in Whitehall. A copy was also faxed to Granger Telecom.

Mrs. Browning: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 January 1999, *Official Report*, column *536*, for what reason the Moscow Embassy received the Interfax report on the hostages in Chechnya 24 hours after it was issued. [70238]

Mr. Tony Lloyd: The Interfax media report was issued at 12:56 GMT on Sunday 6 December. The Embassy received the report as soon as it was open, at about 06:00 GMT on Monday 7 December.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69516]

Mr. Fatchett: The headline pay settlement was 2 per cent. on the paybill and, together with additional funds from staff turnover, staff in post received performance-related increases averaging 4 per cent. The increases were not staged.

General Pinochet

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the Metropolitan Police contacted his Department concerning their communications with the 5th Central Magistrate's Court in Madrid on 14 October. [70294]

Mr. Tony Lloyd: The Metropolitan Police informed the FCO that they had received, via Interpol, a request from the 5th Central Magistrate's Court in Madrid to interview Senator Pinochet.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the (i) nature and (ii) frequency of the contacts made by the Metropolitan Police with his Department, between the time when the police were contacted on 14 October by the 5th Central Magistrate's Court in Madrid and the issuing of an arrest warrant for General Pinochet. [70288]

Mr. Tony Lloyd: This Department does not keep a comprehensive record of telephone calls made by officials. Until the inquiry concerning Senator Pinochet's entitlement to diplomatic immunity on the afternoon of 16 October, contacts between the Metropolitan Police and the FCO concerned only the request from the 5th Central Magistrate's Court in Madrid to interview Senator Pinochet, received on 14 October. All such contacts were by telephone.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the nature of his Department's investigations into the well-being or otherwise of General Pinochet following the incorrect news reports of the general's death in early October. [70286]

Mr. Tony Lloyd: On 9 October, our Embassy in Santiago sought clarification from the FCO about inquiries from the press in Chile about reports that Senator Pinochet had died in hospital in London. FCO officials contacted the Chilean Embassy who confirmed that the reports were untrue and that Senator Pinochet was recovering from surgery in a London hospital.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance was provided by his Department towards the travel arrangements for Senator Pinochet's planned return to Chile in late 1998. [70293]

Mr. Tony Lloyd: I refer the hon. Member to the answers I gave to the hon. Member for Windsor (Mr. Trend) on 25 January 1999, *Official Report*, column *149*.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library those sections of the four reports from the British Embassy in Madrid to his Department which deal with the investigations by Judge Garzon. [70291]

Mr. Tony Lloyd: I refer the hon. Member to the reply I gave to the right hon. Member for Penrith and The Border (Mr. Maclean) on 2 February 1999, *Official Report*, columns *597–98*.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if the diplomatic protests from the Chilean authorities following the arrest of General Pinochet made reference to promises from Her Majesty's Government to assist in the travel arrangements for Senator Pinochet's return to Chile. [70292]

Mr. Tony Lloyd: No such promises were made. Following Senator Pinochet's arrest on 16 October, the FCO received two Notes from the Government of Chile (on 17 and 23 October). Neither of these refers to promises from HMG to assist in the Senator's travel arrangements.

Malaysia (Human Rights)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Malaysia since 2 October 1998 about human rights and the application of the rule of law. [70244]

Mr. Fatchett: We take all appropriate opportunities to raise such issues with the Malaysian authorities. Most recently, we have expressed concern about a number of aspects of the trial of former Deputy Prime Minister Dato' Seri Anwar Ibrahim and related developments. Our High Commission have attended the trial regularly and fully associate themselves with the statements issued by the European Union on 2 October and 27 November.

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the activities of Arab militias in Southern Sudan. [69037]

Mr. Fatchett: Military activity in Southern Sudan continues to be a cause for concern.

We have not recently received any representations on this specific issue but we continue to urge all sides to work towards a peaceful settlement to the ongoing civil war.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current status of the arms embargo on Sudan; and if he will make a statement. [69043]

Mr. Fatchett: We fully support and comply with the EU arms embargo which was implemented in 1994. The embargo was introduced as a result of the ongoing civil war in Sudan, the lack of any movement towards a peaceful settlement to the conflict and the resulting humanitarian crisis.

We expect the embargo to remain in place until the conflict has been resolved.

Written Answers to Questions

Wednesday 10 February 1999

DEFENCE

Task Forces

Mr. Robert Jackson: To ask the Secretary of State for Defence if he will list *(a)* the (i) task forces, (ii) review panels and (iii) advisory groups his Department has, *(b)* the remit of each and *(c)* the members of each together with their principal employment and their level of remuneration. [62809]

Mr. Spellar: As far as bodies composed of independent members are concerned, I refer the hon. Member to the reply I gave the hon. Member for Eastleigh (Mr. Chidgey) on 30 July 1998, *Official Report*, column *451*.

While this Department has not set up any Task Forces since 1 May 1997, information on review panels and advisory groups on which external members serve and which are set up from time to time across the Department is not held centrally. Collecting this information is taking longer than expected. I will write to the hon. Member when this work is complete and a copy of my letter will be placed in the Library of the House.

Territorial Army

Mr. Hoyle: To ask the Secretary of State for Defence what representations he has received on the retention of the 101 Battalion REME in Chorley since 16 December. [68157]

Mr. Doug Henderson *[holding answer 28 January 1999]:* Since 16 December 1998, my Department has received 22 Parliamentary Questions on this matter, all from my hon. Friend the Member for Chorley, five letters from Parish Councils and three letters from members of the public.

Trident

Mr. Alan Simpson: To ask the Secretary of State for Defence what work is *(a)* underway and *(b)* planned to provide a low-yield Trident warhead able to fulfil Trident's sub-strategic role. [68836]

Mr. Dog Henderson: I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State for Defence to the hon. Member for Perth (Ms Cunningham) on 19 March 1998, *Official Report*, column *724*.

Post-traumatic Stress Disorder

Mr. McNamara: To ask the Secretary of State for Defence if he will list the investigations which *(a)* have been commissioned and *(b)* have been circulated or recommended by medical officers in the past 20 years concerning the incidence of post-traumatic stress disorder among serving or former serving members of HM Armed Forces. [67428]

Mr. Doug Henderson *[holding answer 2 February 1999]:* My Department does not maintain central records of investigations commissioned, circulated or recommended by medical officers on the incidence of post-traumatic stress disorder among serving or former members of the Armed Forces. However, I am not aware that my Department has commissioned, or has been recommended by medical officers to commission, investigations specifically into the incidence of post-traumatic stress disorder among serving or former members of the Armed Forces over the past 20 years.

Mr. McNamara: To ask the Secretary of State for Defence how many representations have been received in the past 20 years from *(a)* former soldiers, *(b)* general practitioners or family doctors, *(c)* prison doctors or chaplains, *(d)* officers of the court and *(e)* others, concerning the incidence of post-traumatic stress disorder. [67429]

Mr. Doug Henderson *[holding answer 2 February 1999]:* The information requested is not available as no central records are maintained by my Department of representations received concerning post-traumatic stress disorder.

RN Base Clyde

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 20 January 1999, *Official Report*, columns *460–61*, on RN Base Faslane, in which year the current civilian system of monitoring started at RN Naval Base Clyde; and what proportion of Navy supervisors were qualified to City and Guilds standards prior to that date. [69087]

Mr. Spellar: The use of civilian Health Physics Monitoring Supervisors was introduced at the Clyde Naval Base around November 1989.

Prior to this date, there were two categories of supervisors in the area of Health Physics, both were Royal Naval personnel. Monitoring Supervisors were in charge of the administration of the Monitors, while Radiological Protection Supervisors maintained an oversight of the Monitoring aspects. The latter were qualified to City and Guilds Stage 2 in Radiation Safety Practice.

Procurement Contracts

Mr. Hancock: To ask the Secretary of State for Defence what criteria he uses in establishing the preferment to be given to *(a)* UK only and *(b)* UK/European bids for procurement contracts when the competition is with non-EU contractors. [69469]

Mr. Spellar: The MOD has a policy of open international competition whenever this is possible. A wide range of factors are considered by the MOD when making procurement decisions, including: long term value-for-money, security of supply, UK technological capabilities and the benefits to MOD of potential exports.

Mr. Hancock: To ask the Secretary of State for Defence what criteria he uses to assess the export potential for UK-designed and produced equipment when considering bids made by competitors for defence procurement contracts. [69468]

Mr. Spellar: MOD assessments of the export potential of British defence equipment are based on a judgment of the potential requirements in the market place, the level of competition the UK company is likely to face, and the company's own assessment of its export potential, tempered by our knowledge of their previous record of export success.

Skill Shortages

Mr. Hancock: To ask the Secretary of State for Defence what skill shortages he has identified within the UK defence industry; and what steps he has taken to address them. [69409]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Defence if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69774]

Mr. Spellar: I assume that my hon. Friend is referring to public consultation conducted only by the Ministry of Defence. No single collation and assessment of all public consultation conducted by the Ministry of Defence exists. Our largest public consultation exercise to date was that conducted to inform the Strategic Defence Review. Where consent was given by the authors, copies of submissions made to the Ministry of Defence in the course of that exercise have been placed in the Library of the House. The assessment of those submissions formed part of the Strategic Defence Review, the recommendations of which were reported to Parliament on 8 July 1998, *Official Report*, columns 1073–96.

War Memorial (Service Women)

Mr. Paul Marsden: To ask the Secretary of State for Defence what plans he has to fund a war memorial to service women. [70174]

Mr. Spellar: It has been a long-standing policy of successive Governments that the cost of memorials is usually met not from public funds, but from private donations or public subscription. However, the Government have nothing but the utmost respect and gratitude for those women who served and died in the service of their country.

We are aware of a campaign to erect a memorial to Service women. Although the Government are unable to assist financially with this project, I have announced in the House on several occasions since 20 May 1997, that if the necessary funds were raised from public subscription or private donation, my Department would be more than happy to provide representation at any dedication ceremony.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Defence (1) which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement; [69963]

(2) which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement; [69837]

(3) which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner; [69904]

(4) which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement; [69951]

(5) which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69986]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

General Pinochet

Mrs. Gillan: To ask the Secretary of State for Defence for what reason the Defence Export Services Organisation was made aware on 6 October 1998 of the presence in the United Kingdom of General Pinochet; to which other sections in his Department and beyond this information was relayed; and if he will make a statement. [70242]

Mr. Spellar *[holding answer 9 February 1999]:* The Defence Export Services Organisation became aware of Senator Pinochet's visit in the context of other business; DESO was not involved in arrangements for the visit and there is no record of the information being relayed further. In addition, as my noble Friend Lord Hoyle explained on 11 January 1999, *Official Report, House of Lords*, column 5, other officials within the central staffs of the MOD had been informed of the Senator's impending visit on 16 September 1998 by officials at the FCO. However, this information was not passed to any other section, and no further action was taken.

Northern Division HQ

Mr. Key: To ask the Secretary of State for Defence if his decision to close 2 Division HQ in York and create a new northern division HQ in Edinburgh was based on an investment appraisal of *(a)* complete divisional/district restructuring, *(b)* that element which involved a choice of locations or *(c)* other factors. [70126]

Mr. Doug Henderson *[holding answer 9 February 1999]:* The decision took into account an investment appraisal of options for the location of the headquarters of the proposed northern division.

HEALTH

New Variant Creutzfeldt-Jakob Disease

Mr. Hinchliffe: To ask the Secretary of State for Health (1) if SEAC has been asked for its opinion as to the potential efficacy of pentosan polysulphate in treating nvCJD; and if he will make a statement; [61679]

(2) what is the cost of an oral course of pentosan polysulphate as prophylaxis against nvCJD. [61680]

Ms Jowell *[holding answer 2 December 1998]:* It is not yet known whether an oral course of pentosan polysulphate would be effective as a prophylaxis against nvCJD, or what dose or duration of treatment would be required, or what adverse side effects there might be from its use for this purpose. Therefore it is not possible to calculate the cost of an oral course as an effective prophylaxis against nvCJD.

The Spongiform Encephalopathy Advisory Committee (SEAC) met on 11 January and considered the potential use of pentosan polysulphate as a prophylactic. The Committee is in the process of preparing its advice to Ministers. The Committee on the Safety of Medicines is also considering this use of pentosan. The Government are awaiting the advice from these committees.

Blood and Blood Products

Mr. Hinchliffe: To ask the Secretary of State for Health what estimate he has made of the number of persons who have been inoculated with blood or blood products over the past three years in the United Kingdom. [61681]

Ms Jowell *[holding answer 2 December 1998]:* It is estimated that about one million people in the United Kingdom receive blood and blood products every year.

Epilepsy

Mr. Hancock: To ask the Secretary of State for Health what estimate he has made of the number of people who suffer from epilepsy in the UK. [70214]

Mr. Hutton: Epilepsy is the commonest chronic neurological disorder and it is estimated to affect between 400,000 and 420,000 people in the United Kingdom.

Nurses (Pay)

Mrs. Ewing: To ask the Secretary of State for Health what are the average pay levels in London for nurses in each grade. [70041]

Mr. Denham: Estimated total annual average earnings for nursing staff in London by grade, taken from the Department's August 1997 earnings survey, are shown in the table.

National Health Service Hospital and Community Health Services nursing and midwifery staff: Estimated total annual average earnings by grade

London as at December 1998

£

Clinical grade	*Annual total earnings*[1]
A	12,900
B	14,800
C	16,100
D	17,800
E	20,700
F	23,400
G	26,000
H	27,500
I	29,800

[1] Annual total earnings is an estimate averaged across all incremental points. It includes basic pay, elements from flat rate allowances such as London allowance, on call and stand by and elements from allowances that are salary related such as London allowance and special duty.

Note:

Data are rounded to the nearest £100.

Source:

Department of Health Earnings Survey August 1997

Medicines (Children)

Mr. Love: To ask the Secretary of State for Health (1) what steps he is taking to make EU guidance on medicines for children legally binding on pharmaceutical companies; [69684]

(2) what steps he is taking to assess the cost to the NHS of making guidance on medicines for children legally binding on pharmaceutical companies; [69685]

(3) what steps are being taken by EU member states to monitor the way pharmaceutical companies comply with EU guidance on the licensing of medicines for children; which companies have complied with this guidance; which products are being developed in accordance with this guidance; and when the application of the guidance will be extended to products already on the market, in other EU member states. [69683]

Ms Jowell: The European Union guidance came into operation in September 1997. As the development times for medicinal products are relatively long, there will be a delay before trials in children are submitted with all relevant applications for authorisation of medicinal products.

Where a medicinal product has an anticipated therapeutic benefit in children, the applicant is asked to provide details of a paediatric development plan if this is not already included in the dossier supporting the application for marketing authorisation. Information relevant to paediatric use, based on the availability or not of paediatric data, is included in the product particulars. The EU guidance on the investigation of medicinal products in children applies to products already on the market as well as to new products. Information on those companies which have so far complied with this guidance in other member states is not available, neither is information on those products which are being developed in accordance with this guidance in other member states.

European guidance is not legally binding on pharmaceutical companies and no steps have been taken to assess the costs to the National Health Service of making guidance on medicines for children legally binding on pharmaceutical companies. If the guidance does not have the effect of increasing the availability of appropriate medicinal products to children, there is scope for the United Kingdom and other Member States to raise with the European Commission the question of whether legislative steps should be taken to strengthen the regulatory framework.

ME

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on the work programme of the working group on myalgic encephalomyelitis, and its timescale. [70255]

Ms Jowell: I refer my hon. Friend to the reply given to my hon. Friend the Member for Brighton, Pavilion (Mr. Lepper) on 4 February 1999, *Official Report*, columns *524–25*.

Mr. Reed: To ask the Secretary of State for Health what progress he has made in promoting awareness and understanding of chronic fatigue syndrome/ME among *(a)* health professionals and *(b)* the general public; and if he will make a statement. [70160]

Ms Jowell: The recent publicity surrounding the announcement of the establishment of the working group on chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME) and the involvement of many health professionals, academics, patients and carers in its work has already raised awareness of CFS/ME. The best practice guidance that the Group has been tasked with producing will also raise understanding and awareness. In the mean time, we will continue to work with the Myalgic Encephalomyelitis Alliance to promote awareness and understanding of this distressing and debilitating condition.

Under-age Alcoholics

Barbara Follett: To ask the Secretary of State for Health what provisions are made for the treatment of under-age alcoholics; and if he will make a statement. [68648]

Ms Jowell: Health and local authorities are responsible for assessing the level of need for all alcohol services locally, and making arrangements to meet that need in accordance with local priorities and the resources available.

General Practitioners

Mr. Prior: To ask the Secretary of State for Health what percentage of practising physicians are general practitioners. [70080]

Mr. Denham: There were 27,100 general practitioners (unrestricted principals) as at 1 October 1997. This figure was 31 per cent. of the total number of doctors employed in the National Health Service.

Mr. Prior: To ask the Secretary of State for Health how many *(a)* doctors' and *(b)* general practitioners' posts are unfilled in (i) England and (ii) Norfolk. [70081]

Mr. Denham: The information requested is not available.

Mr. Prior: To ask the Secretary of State for Health what the average age of retirement for general practitioners was in *(a)* 1980, *(b)* 1990 and *(c)* 1998; and if he will make a statement. [70083]

Mr. Denham: The information requested is not available centrally.

Mr. Prior: To ask the Secretary of State for Health (1) what was the average number of working days lost per *(a)* doctor and *(b)* general practitioner for psychological reasons in (i) 1980, (ii) 1990, (iii) 1997 and (iv) 1998; and if he will make a statement, [70084]

(2) what was the average number of working days lost per *(a)* doctor and *(b)* general practitioner for medical reasons in (i) 1980, (ii) 1990, (iii) 1997 and (iv) 1998; and if he will make a statement. [70085]

Mr. Denham: The information requested is not collected centrally. A survey carried out in National Health Service trusts in August 1998 identified the sickness trusts in August 1998 identified the sickness absence rates for medical and dental staff at 1.6 per cent. The survey did not distinguish between medical and psychological illness.

HOUSE OF COMMONS

Portcullis House

Mrs. Dean: To ask the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), representing the House of Commons Commission, if he will make a statement on monitoring the progress of the Portcullis House project. [70000]

Mr. Kirkwood: The Commission has authorised a mid-term review of progress on Portcullis House.

The objective of the review, which is part of a continuing programme of supervision of the project, will be to satisfy the Commission that the new parliamentary building can be delivered, to the desired quality, on budget and within the agreed timetable.

The hon. Lady will be aware that in approving the principle of the new building, the House itself was well aware of the important heritage implications of what will be a major parliamentary development on an internationally important site. While the Commission recognises that Portcullis House needs to be a building of the first architectural quality, it has also been concerned throughout with the need to keep costs in control.

The review, to be conducted by Northcroft, will analyse cost movements to date and include an independent risk appraisal of outturn costs. It will also provide an opportunity to examine organisational structure and procedures used during the project.

House of Commons Switchboard

Mr. David Heath: To ask the Chairman of the Information Committee for what reason the House of

Commons switchboard does not have available the fax numbers of Committees and Departments of the House. [69467]

Mr. Allan: Action has recently been taken to ensure that the information available to the House of Commons switchboard is consistent with the contents of the internal Parliamentary Phone Directory. However, entries in that directory are determined by the wishes of Members, Departments and Committees and therefore are not necessarily comprehensive.

It has also been a long-standing policy that the switchboard will reveal telephone numbers to external callers only if expressly permitted to do so by the owner. This complements the restricted circulation of the Parliamentary Phone Directory.

If Departments and Committees wish their fax numbers to be listed and to be made available to external callers, there is no obstacle to doing so.

CULTURE, MEDIA AND SPORT

Tourism Offices

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what plans he has to assist local authorities with tourism offices. [68470]

Janet Anderson *[holding answer 1 February 1999]:* My Department is encouraging local authorities, as major deliverers of cultural services, to produce cultural strategies. These strategies will cover the broad range of cultural services offered by local authorities which relate to DCMS interest (including tourism) and aim to develop their economic and social impact through greater integration.

Association of British Travel Agents

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what percentage of *(a)* travel agents and *(b)* tour operators were members of the Association of British Travel Agents in (i) 1992, (ii) 1995 and (iii) 1998. [69375]

Janet Anderson: The Association of British Travel Agents (ABTA) suggests that in 1998 around 95 per cent. of high street travel agents and 65 per cent. of tour operators were ABTA members. Information is not available for 1992 and 1995.

Campus Radio Stations

Ms Jenny Jones: To ask the Secretary of State for Culture, Media and Sport when he expects the Radio Authority to produce guidelines for issuing licences to campus radio stations. [69728]

Janet Anderson: The Radio Authority published its notes of guidance for low-powered AM licences, intended for use by establishments such as universities and hospitals, on 11 January 1999. Copies of the guidelines have been placed in the Libraries of the House.

TRADE AND INDUSTRY

Nuclear Waste

Mr. Dafis: To ask the Secretary of State for Trade and Industry what discussions he has had with the German Government on negotiation of contracts for processing nuclear waste in the United Kingdom. [69158]

Mr. Battle: My right hon. Friend has had no discussions with the German Government on negotiation of contracts for processing nuclear waste in the United Kingdom. I refer the hon. Member to the answer given by my right hon. Friend to the hon. Member for Daventry (Mr. Boswell) on 21 January 1999, *Official Report*, column *547*.

Uranium

Dr. Iddon: To ask the Secretary of State for Trade and Industry if the production of highly enriched uranium for civil purposes is adequate to meet current demand. [69533]

Mr. Battle: This is a commercial and operational matter for suppliers of enrichment services and their customers, subject to satisfying the necessary international and regulatory requirements.

Employment Relations Bill

Mr. Chidgey: To ask the Secretary of State for Trade and Industry what estimates he has made of the annual increase in awards for unfair dismissal under the provisions of the Employment Relations Bill. [69593]

Mr. Ian McCartney *[holding answer 8 February 1999]:* While some of the proposals contained in the Employment Relations Bill are expected to increase the number of applications to Employment Tribunals, others could reduce the number of disputes that result in an application to a Tribunal. We expect the net effect on the total number of applications to be very small. We have not made an estimate specifically of the number of unfair dismissal cases, or of how many of these may be successful at a Tribunal hearing.

British Coal (Canteen Workers)

Mr. Clapham: To ask the Secretary of State for Trade and Industry what has been the total cost to public funds of the British Coal canteen workers equal pay claim; and when he expects the case to be resolved. [69896]

Mr. Battle: This remains a matter for British Coal. I understand they have settled around 70 claims from UDM and a few NUM canteen workers at an average settlement cost of around £1,300 per claim. In the meantime, the Employment Tribunal has ordered that sample cases be referred to an independent expert, who has been asked to submit his report by March 1999. Subsequent progress will depend largely on the content of this report.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Trade and Industry (1) which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement; [69943]

(2) which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement; [69973]

(3) which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement; [69829]

(4) which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement; [69980]

(5) which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69911]

Mr. Byers: The executive and advisory non-departmental public bodies (NDPBs) sponsored by the Department are actively seeking ways of operating in a more open way consistent with the recommendations of "Quangos—Opening the doors". A number of executive NDPBs already issue summary reports of meetings where practicable and these are in the public domain; these include the National Consumer Council; the Gas Consumer Council; the Post Office Users Councils; the United Kingdom Atomic Energy Authority (UKAEA) and the Research Councils. All executive NDPBs with board members have a register of their members' interests and these are available to the public, for example the Coal Authority publishes its register in its Annual Report and Accounts and the Monopolies and Mergers Commission place its register on its website. There is no statutory requirement in legislation for this sort of activity; however it represents good practice and is entirely consistent with "Quangos—Opening the doors".

In the case of advisory NDPBs, the Council for Science and Technology produces summaries of meetings and issues press notices on its website, which also contains information on meetings, events, and work in progress; it is also due to publish a register of members interest shortly. The Human Genetics Advisory Commission issues summary reports of meetings which are published on its website. It has a register of members' interests as do others, for example the LINK/Teaching Company Scheme Board, the Measurement Advisory Committee, the Spectrum Management Advisory Group, the Industrial Development Advisory Board and the seven Regional Industrial Development Boards. Other advisory NDPBs are taking steps to have registers of interest in place shortly, in line with the recommendations in "Quangos—Opening the doors". As in the case of executive NDPBs, there are no statutory requirements for this.

The United Kingdom Atomic Energy Authority has held open meetings at its Dounreay and Windscale sites and also has local liaison committees which have a formal membership drawn from the local community. The Coal Authority's annual meetings are open to the public. The Research Councils regularly hold open days, seminars, exhibitions and public consultations. Other NDPBs, including the National Consumer Council, Gas Consumer Council, the Monopolies and Mergers Commission, the Post Office Users National Council and the three Post Office councils for Scotland, Wales and Northern Ireland are considering whether they might hold open meetings.

The National Consumer Council and the Gas Consumers Council both have a complaints procedure as part of their draft code. The Post Office Users National Council and the three national councils for Scotland, Wales and Northern Ireland are in the process of establishing their own complaints procedures. There are no statutory requirements in this area.

The Standing Advisory Committee on Industrial Property holds public meetings; the Human Genetics Advisory Commission has held its first open meeting and is planning a programme of consultative meetings for this year; the Council for Science and Technology has provision for holding open public meetings within its code of practice and also for the co-opting of third parties onto the sub-group of Council members for particular topics. Several other advisory NDPBs including the Energy Advisory Panel and Measurement Advisory Committee are considering whether it would be appropriate for them to hold public meetings. There is no statutory requirement for them to do this.

All appointments to the Department's executive and advisory NDPBs are made in accordance with the Commissioner for Public Appointments code of practice. The code requires that appointments are made on merit judged against criteria relevant to the responsibilities and duties of each appointment. Each of the Department's Consumer bodies requires experience of knowledge of consumer issues.

Many of the executive NDPBs have a statutory base: exceptions include the Simpler Trade Procedures Board and the National Consumer Council. The following executive NDPBs are currently under the jurisdiction of the Parliamentary Ombudsman: the Advisory, Conciliation and Arbitration Service; the Research Councils, the Coal Authority, the Commissioner for Protection against Unlawful Industrial Action, and the Commissioner for the Rights of Trade Union Members. The British Hallmarking Council; Gas Consumers Council; Post Office Users Council; National Consumer Council; Monopolies and Mergers Commission; and the UKAEA are due to be brought within the Parliamentary Ombudsman's jurisdiction shortly by means of an Order in Council which goes before the Privy Council this month.

Vibration White Finger

Mr. Denis Murphy: To ask the Secretary of State for Trade and Industry what was the total number of claims settled for the industrial disease, vibration white finger, before the new scheme was agreed, indicating the *(a)* highest, *(b)* lowest and *(c)* average award. [69841]

Mr. Battle: As at 4 February the Department has settled 3,572 claims for vibration white finger. Of these 1,968 have been settled by payment, and the remaining 1,604 have been ruled out. The individual settlement payments have ranged from £3,000 to £200, with an average of £1,900. The total cost of settlements to date is £3,646,349. In addition to this the Department has paid £1,033,979 in costs to plaintiffs' solicitors.

Since November last year Plaintiffs' solicitors have been advised that higher settlement levels were likely to be agreed with the Plaintiffs' Solicitors Group, who represent 60 per cent. of the plaintiffs, and they were asked to advise their clients accordingly.

Following the agreement reached with the plaintiffs' solicitors on 22 January the average award is likely to be in the region of £6,000 for General Damages (within a range of £500 to £18,000). Additional compensation for special damages will be decided on a case by case basis.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Trade and Industry if he will publish his Department's collation and assessment of responses to all the Government's public consultations. [69769]

Mr. Byers: I will arrange for a summary of responses to all public consultation exercises carried out by the Department since 1 May 1997 to be placed in the Library of the House.

EC Copyright Directive

Mr. Levitt: To ask the Secretary of State for Trade and Industry what representations he has made to the *(a)* European Commission and *(b)* European Parliament concerning the proposed EC copyright directive. [70113]

Dr. Howells *[holding answer 9 February 1999]:* The United Kingdom has made clear to all concerned our support for the main aims of the draft copyright Directive. However, we have expressed strong reservations on the over-prescriptive approach on exceptions to rights, many of which exceptions have little or no effect on the internal market. In particular, we remain firmly opposed to a general requirement to impose levies in return for all private copying exceptions, no matter how minor. The Government wish to maintain a fair and reasonable balance between the interests of rights holders and those of users of rights and intermediaries, including network operators and service providers. We have also called for clarification of the provision on technological protection measures, while supporting its general aim, and have welcomed the fact that liability of intermediaries is being considered as a horizontal issue in the draft electronic commerce Directive.

Mr. Levitt: To ask the Secretary of State for Trade and Industry if he will take steps to ensure that the traditional interests of copyright holders are protected in the context of the electronic media under the proposed EC copyright directive. [70114]

Dr. Howells *[holding answer 9 February 1999]:* The Government are firmly committed to ensuring that copyright protection across the EU is at least as good as that already in UK law; strong intellectual property rights are fundamental to an innovative economy. Digital technology allows data to be more easily disseminated and used or copied, and effective copyright protection for the electronic age is essential. Without the confidence that rights are properly protected worldwide, there would be no incentive for suppliers of information to make works available on-line and therefore no global information society. The Government believe the copyright Directive should prove to be of considerable benefit to UK rights holders in the context of Europe as whole, and we have broadly welcomed it. However, we will also continue to press for more flexibility for member states in the exceptions provisions of the Directive. Rights holders, users of rights and intermediaries are all key players in ensuring the success of the new services of the information age.

Chargeable Export Services

Dr. George Turner: To ask the Secretary of State for Trade and Industry what systems are in place for measuring the effectiveness and impact of the major Government chargeable export services. [70941]

Mr. Wilson: We have received results of independent surveys conducted among a sample of over 1000 businesses who used Overseas Trade Services in 1997. I am delighted that the results show an average overall satisfaction rate of 88 per cent. compared to an average of 83 per cent. in 1995 and 1996. Furthermore, the positive trend was the same for virtually every individual scheme.

Last year we reviewed the way in which DTI and FCO monitors and evaluates customer satisfaction and perceptions of the major export promotion services we deliver. As a result, the Quality Management System (QMS) was significantly revised so as to enable us to obtain more detailed information about customer satisfaction levels on a world-wide basis.

The Quality Management System will be further enhanced in 1999 to take into account comments of the business representatives of the British Overseas Trade Board's Regional Committee, and the tendering process for a new contractor to start work in April is currently underway. The contractor will carry out work to capture data relevant to the new joint FCO/DTI export promotion objectives.

CABINET OFFICE

Drugs

10. **Miss Melanie Johnson:** To ask the Minister for the Cabinet Office what plans he has to support the parents of young people who abuse drugs. [68653]

Mr. Kilfoyle: The Government's anti-drugs strategy includes the provision of information, advice and support to parents. Support is provided day to day through the National Drugs Helpline. Locally, Drug Action Teams were asked to consult and to consider the needs of parents and carers when drawing up plans for local action.

12. **Mr. Blizzard:** To ask the Minister for the Cabinet Office how he intends to improve co-ordination of anti-drug measures at local level. [68655]

Mr. Kilfoyle: Drug Action Teams should take a strategic overview of anti-drugs action including resource allocation and link up with other local and regional partnerships. They have now submitted their provisional local action plans for 1999–2000. These are being assessed.

13. **Mr. John Smith:** To ask the Minister for the Cabinet Office if he will make a statement on the incidence of drug misuse among people under the age of 25 years. [68656]

25. **Shona McIsaac:** To ask the Minister for the Cabinet Office if he will make a statement on the incidence of drug misuse among people under the age of 25 years. [68669]

Dr. Jack Cunningham: Drugs misuse is most common among people in their teens and early twenties. About half of young people are likely to take drugs at some time in their lives, but only about one-fifth will become regular misusers, with a smaller minority developing the most serious problems.

26. **Mrs. Ann Winterton:** To ask the Minister for the Cabinet Office what initiatives have been taken by the United Kingdom's anti-drugs co-ordinator to combat new trends in drugs misuse. [68670]

Dr. Jack Cunningham: The Government's anti-drug strategy, "Tackling Drugs to Build a Better Britain", provides a framework for co-ordinated action against the range of drugs problems over ten years. Action is overseen and monitored by Keith Hellawell, to whom the local Drug Action Teams across the country have recently reported with their action plans for 1999/2000. His first annual report and national plan will be produced in the spring.

Liberal Democrats (Discussions)

11. **Mr. Gordon Prentice:** To ask the Minister for the Cabinet Office how many policy areas he has identified to date as suitable for detailed discussions with Liberal Democrat hon. Members using the Joint Consultative Cabinet Committee mechanisms. [68654]

Dr. Jack Cunningham: The review of the work of the Joint Consultative Committee, which I am undertaking with the right hon. Member for Berwick-upon-Tweed (Mr. Beith) is not yet complete.

Ministerial Travel

14. **Mr. Flight:** To ask the Minister for the Cabinet Office if he will make a statement on the cost of ministerial travel for each Minister in his Department since 1 May 1997. [68657]

Dr. Jack Cunningham: The Ministerial Code requires Ministers always to make effective and cost-efficient travel arrangements. Figures on the spend by this Government on Ministers' visits overseas were published by my right hon. Friend the Prime Minister today.

19. **Mrs. Gorman:** To ask the Minister for the Cabinet Office if he will make a statement on guidelines within his Department for ministerial travel. [68663]

Dr. Jack Cunningham: The Ministerial Code requires Ministers always to make efficient and cost-effective travel arrangements.

24. **Mr. Gray:** To ask the Minister for the Cabinet Office what plans he has to review ministerial travel regulations. [68668]

Dr. Jack Cunningham: None. Ministers are required under the terms of the Ministerial Code always to make efficient and cost-effective travel arrangements. The rules on ministerial travel are the same as those that applied under the previous Administration.

Charter Marks

15. **Mr. Levitt:** To ask the Minister for the Cabinet Office if he will make a statement on the charter mark awards scheme. [68658]

16. **Mr. Dismore:** To ask the Minister for the Cabinet Office if he will make a statement on the 1998 charter mark awards. [68659]

Mr. Kilfoyle: This has been another very successful year for the charter mark awards scheme with 508 awards being made—the highest number ever. There were a record number of applications from virtually all types of public service in the UK, and there were 128 second time winners and 18 third time winners. It was particularly pleasing to note that there were 74 winners of the award who had been unsuccessful in the previous year.

Charter mark is making a real contribution to improving public services and we will continue to develop the scheme to make it even more effective.

Better Government (Older People)

17. **Helen Jackson:** To ask the Minister for the Cabinet Office if he will make a statement on the better government for older people programme. [68660]

Dr. Jack Cunningham: The Better Government for Older People initiative, an important part of our commitment to modernising government, has valuable lessons to teach about developing improved services that are more responsive to the needs of their users. Next month we are putting in place a Learning Network so that many more local authorities across the UK can share in this learning and experience. Well over two hundred authorities have already expressed an interest in joining the Network.

21. **Ms Moran:** To ask the Minister for the Cabinet Office what measures he intends to take to encourage local authorities to become involved in the better government initiative. [68665]

Dr. Jack Cunningham: Local Government is a key partner in the drive to improve public service effectiveness and responsiveness and is involved at all levels in the production of the Modernising Government White Paper. For example, Sir Jeremy Beecham, Chairman of the Local Government Association attends meetings of the Ministerial Group on Better Government. I welcome a wide debate on these matters and I recently launched the Modernising Government discussion forum on the Downing Street website, to encourage people to participate in the consultation process.

Government (Modernisation)

18. **Fiona Mactaggart:** To ask the Minister for the Cabinet Office if he will make a statement on his Department's agenda for *(a)* modernising Government and *(b)* improving the efficiency of public services. [68661]

22. **Mr. Geraint Davies:** To ask the Minister for the Cabinet Office if he will make a statement on the progress of the modernising government strategy. [68666]

Mr. Kilfoyle: As my right hon. Friend the Minister for the Cabinet Office explained to the House on 21 October last year, the Government will publish a White Paper in the Spring, setting out their programme for modernising government and joining-up public services to respond better to the people that need them. Discussion on the 10 Downing Street website describes the work in hand and invites people to join in.

Quangos

20. **Mr. Skinner:** To ask the Minister for the Cabinet Office if he will announce further measures to abolish quangos; and if he will make a statement. [68664]

Mr. Kilfoyle: The Government remain committed to keeping the number of NDPBs to an absolute minimum. Many NDPBs have already been abolished and many more have been targeted for abolition in the near future. All NDPBs which remain are subject to a rolling programme of quinquennial reviews to ensure that the downward pressure on numbers continues.

Public Services

23. **Mr. Miller:** To ask the Minister for the Cabinet Office if he will make a statement on his Department's agenda for improving the efficiency of public services. [68667]

Mr. Kilfoyle: The White Paper on Modernising Government will describe the Government's agenda for improving the efficiency and effectiveness of public services, and is to be published in the spring. It will build on our current initiatives which focus on promoting partnerships between the public and private sector, investing in new collaborative initiatives, benchmarking, setting and measuring performance standards, and special organisation reviews.

Civil Servants

Mrs. Gilroy: To ask the Minister for the Cabinet Office, pursuant to his answer of 19 January 1999, *Official Report*, column *405*, on civil servants' hearing impairments, if he will list the other circumstances which resulted in large numbers of civil servants not qualifying for a pension. [702[illegible]

Mr. Kilfoyle: The circumstances under which civil servants leave without qualifying for a civil service pension are as follows:

Prior to 1972

all those who left unestablished service

all those who left established service under age 50 or over age 50 with less than 10 years' service

those women who resigned on marriage and received a gratuity

Since 1 June 1972

those who left before 6 April 1988 with less than 5 years' service or since that date with less than 2 years' service

those who are excluded from the Principal Civil Service Pension Scheme by virtue of Rule 1.4 (mainly casual staff, and certain part-time staff before 1995) or who have chosen to opt-out of the pension scheme.

Civil Service (Fast Stream)

Mr. Russell Brown: To ask the Minister for the Cabinet Office if he will make a statement about future arrangements for recruitment to the Civil Service fast stream development programme. [70942]

Dr. Jack Cunningham: Management of the Fast Stream recruitment process was contracted out to the Capita Group plc as part of the decision to privatise the former Recruitment and Assessment Services Agency in October 1996.

A review of the operation of the recruitment process took place during 1998. As a result I have decided in principle that, on the expiry of the current contracts, the selection stages of the process will return to direct Civil Service management. I expect specialist services including advertising, publicity, response handling and psychology support to continue to be supplied by the private sector following competitive tender.

Parliamentary Commissioner for Administration

Mr. Russell Brown: To ask the Minister for the Cabinet Office when the jurisdiction of the Parliamentary Commissioner for Administration will be extended to cover all executive non-departmental public bodies and those advisory non-departmental public bodies which have significant dealings with members of the public. [70943]

Mr. Kilfoyle: Her Majesty in Council has today approved an Order extending the jurisdiction of the Parliamentary Commissioner for Administration to an additional one hundred and eleven executive non-departmental public bodies and to forty-seven advisory non-departmental public bodies which have direct dealings with members of the public. This fulfils the commitment that the Government gave in "Quangos: Opening the Doors"—published on 29 June 1988—and will substantially increase the avenues of redress available to members of the public who wish to complain about their treatment by a non-departmental public body. It is another example of this Government's determination to ensure that all non-departmental public bodies are properly and fully accountable to both Parliament and the public for their actions.

The Order will be laid before Parliament on Monday 22 February. Subject to Parliamentary approval, the Order will come into force on Monday 15 March.

Public Bodies

Dr. Tony Wright: To ask the Minister for the Cabinet Office which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69967]

Dr. Jack Cunningham: The information requested is as follows:

(*a*) none of the advisory non-departmental public bodies sponsored by my Department admit members of the public to all board and committee meetings.

(*b*) public meetings are held by:

The Better Regulation Task Force

The Civil Service Appeal Board

The Committee on Standards in Public Life

The Women's National Commission

(*c*) the following bodies have lay or consumer representatives:

The Better Regulation Task Force

The Civil Service Appeal Board

The Women's National Commission.

In addition, the Advisory Committee on Advertising is comprised of senior advertising and media professionals who are independent of government and advertising agency suppliers; members are appointed to the Committee on Standards in Public Life to bring a mix of experience and expertise from different areas of public life; and membership of the Security Commission and the Security Vetting Appeals Panel is drawn from a range of people from different professions and backgrounds.

There is no statutory requirement for the advisory non-departmental public bodies sponsored by my Department to admit the public to meetings or to hold public meetings. However, all advisory non-departmental public bodes are encouraged to do so where practicable and appropriate. Nor is there any statutory requirement for advisory non-departmental public bodies sponsored by my Department to have lay or consumer representatives. However, all members of advisory non-departmental public bodies are appointed on merit and membership will, where appropriate, include individuals from a balance of backgrounds.

Dr. Tony Wright: To ask the Minister for the Cabinet Office which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69839]

Dr. Jack Cunningham: There is no statutory requirement for the advisory non-departmental public bodies sponsored by my Department to publish the minutes of meetings, the agendas of meetings and documents for those meetings, or a register of members' interests. However, all advisory non-departmental public bodies are encouraged to do so where practicable and appropriate. Currently, minutes of meetings, agendas of meetings and documents for those meetings are published by the Women's National Commission. A record of the hearing of Security Vetting Appeals Panel is given to the appellant and the relevant organisation. Reports of Civil Service Appeal Board hearings go only to the relevant interested parties.

Registers of Interests are either in place, or are in the process of being prepared, in all advisory non-departmental public bodies sponsored by my Department. These Registers are either published or are made available for public inspection on request.

Special Advisers

Mr. Ruffley: To ask the Minister for the Cabinet Office what representations he has received regarding the work undertaken by special advisers; and if he will make a statement. [68671]

Dr. Jack Cunningham: I receive occasional representations on the role of Special Advisers. The most recent representations from hon. Members were put to me in a debate on 13 January 1999, *Official Report*, columns 311–68, on Government Information.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road User Charging

Mr. Cann: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the first road user charging schemes to be introduced. [69390]

Ms Glenda Jackson: Implementation will be subject to the necessary legislation, which we will introduce when Parliamentary time permits. The preparatory work is underway and we have offered help to local authorities outside London who wish to make early progress. Implementation in London will depend on decisions by the Major following the GLA election in May 2000.

A3 (Hindhead)

Mrs. Virginia Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to visit Hindhead to examine the transport problems on the A3. [69731]

Dr. Reid: I have no plans currently to visit Hindhead to examine the transport problems on the A3. We already recognise that there is a serious congestion problem and in December last year announced our intention that an A3 study would form part of a group of road-based studies.

Revenue Support Grant

Mrs. Virginia Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions what was the *(a)* RSG and *(b)* RSG per head in (i) Waverley and (ii) Sedgefield for (1) 1999–2000, (2) 1994–95 and (3) 1989–90. [69730]

Mr. Prescott: The information requested is as follows:

	£ million		*£ per head*	
	Waverley	*Sedgefield*	*Waverley*	*Sedgefield*
Revenue Support Grant				
1999–2000	0.864	3.570	8	40
1994–95	2.114	3.571	18	39
Block Grant [1]				
1989–90	0	3.009	0	34

[1] Calculated under the Rate Support Grant Report 1989–90

Repossessions

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement concerning the case of Ropaighealach *v.* Barclays Bank (*The Times*, 6 January) and the right of a mortgagor to enter a property and dispossess its owner without a court order. [69693]

Mr. Raynsford: In the case of Ropaigealach *v* Barclays Bank plc (Times Law Report, January 6 1999) the Court of Appeal held that a mortgage lender was entitled to exercise its common law right to take possession of a mortgaged dwelling house without first obtaining a court order. The protection provided to the borrower by section 36 of the Administration of Justice Act 1970 applied only where the lender had brought an action for possession.

There are restrictions on the exercise of a mortgage lender's common law right to take possession of a mortgaged dwelling. The right must be exercised peaceably. Use of violence would be an offence under the Criminal Law Act 1977, and the Protection from Eviction Act 1977 provides protection for tenants occupying the property.

Portsmouth Rail-head

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what discussions he has had with *(a)* Portsmouth City Council and *(b)* Portsmouth Ferry Port concerning the development of a freight rail-head in Portsmouth; [69673]

(2) what research his Department has *(a)* commissioned and *(b)* evaluated into the development of a freight rail-head in Portsmouth since 1990. [69848]

Ms Glenda Jackson: I understand that a feasibility study for a sea-rail link at Portsmouth is benefiting from a grant of 18,000 ecu from the European Commission under the Trans-European Network ("TENS") scheme. I met a delegation representing Portsmouth Commercial Port and Portsmouth City Council on 11 January to discuss general investment in the Port. However, the issue of rail links was not raised.

Local Government Finance

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* individuals and *(b)* organisations that have made representations requesting that council tax Band G be split into two new bands with consequential increases in the proportion of tax due for both the new band and the current Band H in order to reflect better the differential in value between lower bands; and if he will make a statement. [69998]

Ms Armstrong: As part of our review of Local Government Finance last year, we invited views on the operation of the council tax.

Two councillors and the following organisations made representations requesting that Band G be split:

Local Authorities (121 Authorities)

Rother
Harrow
Reigate and Banstead
Sutton
Durham City
Forest of Dean
Mid Suffolk
Wychavon
Fenland
Teesdale
West Oxfordshire
Ellesmere Port and Neston
Hastings
South Shropshire
Wealden
Harrogate
Devon
East Northamptonshire
Staffordshire
Lewes
Alnwick
New Forest
Bassetlaw
Nuneaton and Bedworth
Macclesfield
Dacorum
Dudley
Castle Point
East Riding of Yorkshire
Shepway
North Norfolk
Canterbury
Eastleigh
Walsall
Oadby and Wigston
Barrow-in-Furness
Wigan
Leicestershire
East Hampshire
Broxtowe
Crawley
Peterborough
Craven
East Staffordshire
Warrington
Warwickshire
Crewe and Nantwich
Cumbria
Barnet
West Dorset
Statford-on-Avon
Sevenoaks
Telford and the Wrekin
Southend-on-Sea
Bolton
Knowsley
Fareham
Gloucestershire
Swindon
Suffolk

Ribble Valley
Bradford
Staffordshire
King's Lynn and West Norfolk
Amber Valley
Wakefield
Portsmouth
Derby
Newcastle upon Tyne
Guildford
Coventry
Camden
Calderdale
Doncaster
Birmingham
Greenwich
Hillingdon
Forest Heath
Manchester
Barnsley
Bolsover
Epping Forest
Aylesbury Vale
Luton
Rochdale
Torbay
Northampton
Wear Valley
Bristol
Barnsley Central
Wyre Forest
Exeter
Tyne and Wear
South Oxfordshire
Ipswich
Milton Keynes
Leicester
Durham County
West Berkshire
Dorset
Gateshead
Braintree
South Lakeland
North Tyneside
Allerdale
Buckinghamshire
Worcester
Watford
Lancashire
Bury
Elmbridge
Liverpool
Southwark
Merton
Sheffield
Solihull
St. Helens
Boston
Welwyn Hatfield
Maidstone
Rutland

Local Authority Representative Organisations

Society of Municipal Treasurers
Special Interest Group of Municipal Authorities outside London
Local Government Association
South Yorkshire Districts

Police Authorities

Warwickshire Police Authority
Lancashire Police Authority

Parish Councils

Broomley and Stocksfield Parish Council

Voluntary Sector Organisations

Age Concern

Political Organisations

Blackburn and Darwen Labour Group
Woodstock and District Labour Party
Warwickshire Labour Party Group
Liberal Democrats Group, Allerdale.

Three individuals and the following organisations made representation to retain the current valuation bands:

Local Authorities

Rushcliffe
Wandsworth
Hampshire
Tonbridge and Malling
Restormel
Redbridge
Cheshire
Isles of Scilly
Rugby
Lewisham
Reading

Others

Local Government Research Unit, Wolverhampton
Wolverhampton Conservative Group.

We fully considered these representations along with others that we received and set our conclusions in the White Paper, Modern Local Government—"In Touch with the People". We explained that the council tax was generally working well and that we do not plan to make any fundamental changes to the council tax, or carry out a revaluation, during the course of this Parliament.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish his Department's collation and assessment of responses to all the Government's public consultations. [69780]

Mr. Meale: My Department follows the Cabinet Office guidance, "How to Conduct Written Consultation Exercises". A list of respondents is placed in the Libraries of both Houses and copies of responses are placed in the Departments' libraries, except where the respondent has asked that their response remains confidential. Where possible, a summary of responses is produced and made public.

Housing Steering Group

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if there will be tenant representation on the housing steering group on best value. [69736]

Mr. Raynsford: The official level Best Value in Housing Steering Group that we established last year to examine the application of best value to housing has two tenant representatives from TAROE—the tenants' and residents' organisations of England. This is underpinned by a tenants' sounding board focus group comprised of local authority and housing association tenant representatives.

Fur Trade

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what action the Government are taking to ensure the implementation of the ban on furs entering the EU under Regulation 3254/91; [70009]

(2) what action the Government are taking to press the Commission and EU Ministers to set a deadline for ratification of the humane trapping standards for animals caught in leghold traps; [70008]

(3) if *(a)* Russia, *(b)* Canada and *(c)* the USA have ratified the agreement on humane trapping standards for animals caught in leghold traps; and what is the deadline for ratification of the convention. [70007]

Mr. Meale *[holding answer 8 February 1999]:* I understand that Canada and Russia have not yet ratified the agreement on humane trapping standards for animals caught in leghold traps agreed with the European Community in July 1997. I also understand that the USA has not ratified the agreed minute agreed with the European Community in December 1997. We will look for suitable opportunities to discuss with the Commission and EU Ministers what further progress can be made in pressing Canada, Russia and USA to ratify these agreements.

Her Majesty's Customs and Excise are responsible for ensuring implementation of the import ban on certain furs into the United Kingdom under Regulation 3254/91. In the case of all measures prohibiting the importation of goods, it is standard procedure for detailed written guidance to be issued to Customs officers as to the manner of regulating legitimate trade and the handling of illegal consignments. This practice was followed in the case of furs caught in leghold traps. I also understand that since the customs entry documents for virtually all commercial imports are processed electronically, and because all imported goods have a specific "commodity code" number which must be declared by importers on those documents, Customs officials are able to identify furs which may be prohibited from entering the United Kingdom under the Regulation.

Groundwater Regulations 1998

Mr. Paice: To ask the Secretary of State for the Environment, Transport and the Regions which EU countries require individual businesses to register under the Groundwater Directive. [69782]

Mr. Meale: It is a requirement of the Groundwater Directive (80/68/EEC) that individual discharges to groundwater should be subject to prior authorisation. It is for Member States, in accordance with their treaty obligations, to transpose these requirements into national law. The Groundwater Regulations 1998 complete transposition of the Directive by requiring authorisation of the disposal of listed substances to land, as distinct from a register of businesses.

Mr. Paice: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he plans to issue to farmers with regard to the necessity of registering with the Environment Agency under the groundwater regulations. [69783]

Mr. Meale: The Groundwater Regulations 1998 provide that disposals, or tipping for the purpose of disposal to land of listed substances, require prior authorisation. Transitional arrangements provide that applications which relate to an activity substantially the same as one carried out by the applicant previously, and made prior to 1 April 1999 (when the main provisions in the Regulations come into force), will be deemed approved until finally disposed of the by Agency. My officials wrote on 21 December 1998, to draw attention to these arrangements, to those consulted on the draft regulations, including the National Farmers Union, Tenant Farmers Association and the Farming Union of Wales. Draft guidance will be published for consultation as soon as possible.

Connex South East

Ms Bridget Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many complaints have been received by his Department about *(a)* overcrowding, *(b)* standards of cleanliness and *(c)* punctuality on Connex South East trains for each quarter in 1998; and what are the latest available figures. [70110]

Ms Glenda Jackson: So far in 1999 my department and the Franchising Director's office have received three complaints relating to overcrowding on Connex South East trains; four on the general standard of their trains including cleanliness and 21 on punctuality. The table provides the same information for each quarter in 1998.

	Overcrowding	*Standard of the trains including cleanliness*	*Punctuality*
January-March	29	12	65
April-June	7	5	20
July-September	7	9	21
October-December	14	17	101
Total for 1998	57	43	207

Planning Permission

Mr. John M. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if, when a metropolitan borough council has stated in its UDP that a certain piece of land is designated for business use and suitable for general B1 purposes, it can subsequently grant planning permission to use this land for B1, B2 industry and B8 warehouse use without amendment to the UDP. [70057]

Mr. Raynsford: The Town and Country Planning Act 1990 requires local planning authorities to determine applications for planning permission in accordance with the development plan unless material considerations indicate otherwise. It is for local authorities to decide whether material considerations justify granting a planning permission that is not in accordance with the plan.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69906]

Mr. Meale: All the executive NDPBs sponsored by DETR have a statutory base except the British Board of Agrément and the National Forest Company.

All the bodies are subject to investigation by the Parliamentary Commissioner for Administration, with the following exceptions:

The Audit Commission, the British Board of Agrément (BBA), the five Housing Action Trusts (HATs), the London Pensions Fund Authority (LPFA), the London Regional Passengers' Committee, the National Forest Company (NFC).

The NFC will be brought within the jurisdiction of the Parliamentary Commissioner for Administration by means of an Order in Council due to go before the Privy Council later this month.

The HATs and LPFA are subject to investigation by the Commissioner for Local Administrations (CLA)—the Local Government Ombudsman. The Environment Agency also comes within the remit of the CLA for matters concerning flood defence and land drainage.

Dr. Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69961]

Mr. Meale: *(a)* None of the advisory non-departmental bodies sponsored by my Department admit members of the public to all board or committee meetings.

(b) The following advisory non-departmental bodies sponsored by my Department hold public meetings:

Advisory Committee on Packaging, Disabled Passengers' Transport Advisory Committee, Royal Commission on Environmental Pollution, UK Round Table on Sustainable Development.

(c) The following advisory non-departmental bodies sponsored by my Department have lay or consumer representatives on their boards:

Committee on Chemicals and Materials for Use in Public Water Supplies and Swimming Pools, Disabled Passengers' Transport Advisory Committee, Radioactive Waste Management Advisory Committee, Royal Commission on Environmental Pollution, Sustainable Development Education Panel, UK Round Table on Sustainable Development.

None of these matters is subject to a statutory requirement.

Dr. Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69835]

Mr. Meale: *(a)* The following advisory non-departmental bodies sponsored by my Department publish the minutes of their meetings on the internet or make them available in paper form or do both:

Advisory Committee on Releases to the Environment, Committee on Chemicals and Materials for Use in Public Water Supplies and Swimming Pools, Export Action Group for Building Materials, Royal Commission on Environmental Pollution, Sustainable Development Education Panel, UK Round Table on Sustainable Development.

(b) The following advisory non-departmental bodies sponsored by my Department publish the agendas of meetings and documents for their meetings:

Advisory Committee on Releases to the Environment Export Action Group for Building Materials, Royal Commission on Environmental Pollution, Sustainable Development Education Panel, UK Round Table on Sustainable Development.

(c) The following advisory non-departmental bodies sponsored by my Department publish a register of members' interests or have it available on request:

Advisory Committee on Hazardous Substances, Advisory Committee on Releases to the Environment, Advisory Committee on Packaging, Building Regulations Advisory Committee, Committee on Chemicals and Materials for Use in Public Water Supplies and Swimming Pools, Expert Panel on Air Quality Standards, Government Panel on Sustainable Development, Inland Waterways Amenity Advisory Council, Property Advisory Group, Radioactive Waste Management Advisory Committee, Royal Commission on Environmental Pollution, Sustainable Development Education Panel, UK Round Table on Sustainable Development, Water Regulations Advisory Committee. All advisory NDPBs have or should shortly have a register of interests in place.

None of these items is published under a statutory requirement.

Dr. Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69949]

Mr. Meale: *(a)* The following executive non-departmental bodies sponsored by my Department publish the minutes of their meetings on the internet or make them available in paper form or do both:

Countryside Commission, English Nature, Environment Agency, Health and Safety Commission, Health and Safety Executive, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), Joint Nature Conservation Committee, Local Government Commission for England, London Regional Passengers' Committee.

(b) The following executive non-departmental bodies sponsored by my Department publish the agendas of meetings and documents for their meetings:

Countryside Commission, English Nature, Environment Agency, Health and Safety Commission, Health and Safety Executive, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), Joint Nature Conservation Committee, London Regional Passengers' Committee.

[1] Agendas only

(c) The following executive non-departmental bodies sponsored by my Department publish a register of members' interests:

Audit Commission, British Board of Agrément, Commission for the New Towns, Countryside Commission, Docklands Light Railway, English Nature, English Partnerships, Environment Agency, Health and Safety Commission, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), Housing Corporation, Joint Nature Conservation Committee, Local Government Commission for England, Local Government Residuary Body (England), National Forest Company, Rural Development Commission.

All executive NDPBs have or should shortly have a register of interests in place.

None of these items is published under a statutory requirement.

No information has been supplied on Regional Development Agencies as they are not yet operational and are still in the process of making decisions on these matters.

Dr. Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69984]

Mr. Meale: *(a)* The following executive non-departmental bodies sponsored by my Department admit members of the public to all board or committee meetings:

Countryside Commission, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), London Regional Passengers' Committee.

(b) The following executive non-departmental bodies sponsored by my Department hold public meetings:

Commission for the New Towns, Countryside Commission, Docklands Light Railway, English Nature, English Partnerships, Environment Agency, Health and Safety Commission, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), Local Government Commission for England, Local Government Residuary Body (England), Traffic Director for London.

(c) The following executive non-departmental bodies sponsored by my Department have lay or consumer representatives on their boards:

Health and Safety Commission, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), Housing Corporation, Joint Nature Conservation Committee, London Pensions Fund Authority, London Regional Passengers' Committee.

(d) The following executive non-departmental bodies sponsored by my Department operate some form of appeal or complaints procedure:

Audit Commission, Commission for the New Towns, Countryside Commission, Docklands Light Railway, English Nature, English Partnerships, Environment Agency, General Lighthouse Authorities (Northern Lighthouse Board, Trinity House) Health and Safety Commission, Health and Safety Executive, Housing Action Trusts (Castle Vale, Liverpool, North Hull, Stonebridge, Tower Hamlets, Waltham Forest), Housing Corporation, Joint Nature Conservation Committee, Local Government Commission for England, London Pensions Fund Authority, London Regional Passengers' Committee, Rural Development Commission, Traffic Director for London.

None of these matters is subject to a statutory requirement.

No information has been supplied on Regional Development Agencies as they are not yet operational and are still in the process of making decisions on these matters.

Deaths at Work

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions how many deaths at work were recorded in the most recent available year; and if he will make a statement on recent trends. [70053]

Mr. Meale: In 1997–98 there were 261 fatalities to workers.

The fatal injury rate for all workers in 1997–98 was 1.0 per hundred thousand workers, which represents a return to the level seen in 1995–96, the lowest since the introduction of the reporting of Injuries, Diseases and Dangerous Occurrences Regulations in 1986. The rate has fallen from 1.4 per hundred thousand five years ago and 1.8 per hundred thousand ten years ago.

The information for 1997–98 is provisional.

Biosafety Protocol

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's policy on the Biosafety Protocol negotiations in Colombia, with specific reference to Article 1; and if he will make it his policy to support the inclusion of the precautionary principle as regards human health. [70346]

Mr. Meale: I refer my hon. Friend to the reply given to the hon. Member for Lewes (Mr. Baker) on 9 February 1999, *Official Report*, columns *153–54*.

Housing (Ex-service Personnel)

Mr. Burden: To ask the Secretary of State for the Environment, Transport and the Regions how many and what percentage of local authorities in England and Wales use length of service as the basis for housing allocation to ex-service personnel; and if he will make a statement. [69795]

Mr. Raynsford: The Department does not hold this information. Many local housing authorities require applicants for housing to have been resident in their area for a specified period before they will place them on their housing registers. This sort of requirement can cause difficulties for ex-service personnel and the Department's Code of Guidance on the Allocation of Housing and Homelessness advises authorities to give sympathetic consideration to applications from ex-service personnel who have close connections with their district or lived their prior to enlisting.

Voluntary Sports Clubs

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce a mandatory rate relief system for voluntary sports clubs; and if he will make a statement. [70541]

Ms Armstrong: We are currently reviewing the arrangements under which non-profit making sports clubs may receive relief from non-domestic rates at the discretion of local authorities. We intend to issue a consultation paper in the near future.

Roads (London)

Mr. McNulty: To ask the Secretary of State for the Environment, Transport and the Regions (1) when he will announce the Government's intentions as to which roads will make up the GLA road network, for which Transport for London will be the highway and traffic authority; [71002]

(2) what role Transport for London will have in relation to planning applications which affect GLA roads. [71003]

Ms Glenda Jackson: Our White Paper, "A Mayor and Assembly for London", made clear that we start from the presumption that the GLA Road Network should be based on the primary route and red route networks. This base network is made up of some 220 miles of trunk roads and 105 miles of borough roads. We issued a consultation document last summer on whether roads might be added to or deleted from this base network to form the GLA Road Network. We received 93 responses to this consultation exercise. A summary of the responses has been placed in the Library. Copies of individual responses are available from the library of the Department of the Environment, Transport and the Regions.

We have carefully considered the representations received and we have concluded that there should be some adjustments to the network as envisaged by the White Paper. Those are set out in the table and shown on the two maps which have today been deposited in the Library. In outer London, there are some small adjustments primarily to reflect the construction of new roads. In central London, we propose the addition of roads which act as key distributor routes for the area within the Inner Ring Road.

The resulting network gives Transport for London a clear and coherent set of roads to manage. The Mayor's Integrated Transport Strategy will set the framework within which Transport for London and boroughs will work. It is important that the Mayor, through Transport for London, should be responsible for key roads to help facilitate improved co-ordination in the movement of people and goods. In particular, direct involvement in roads in the central area will help the Mayor ensure there is a balanced approach to accessibility and traffic management not only to and from the City and West End but also for the developing south bank of the Thames.

This GLA Road Network is broadly the same size as the base network and the transfer of about 220 miles of trunk roads from the Highways Agency to Transport for London represents a significant shift of responsibility from central Government.

Subject to Parliamentary procedures, we intend that the network will be formally defined by Order to come into effect when Transport for London is brought into being. In defining the network, we are minded to include those small sections of side roads which are necessary to ensure that the main road is managed safely and efficiently.

We have looked carefully at the powers Transport for London should have as highway authority in relation to planning applications which affect GLA roads. Our conclusion is that Transport for London should be consulted by the local planning authority where the proposed development would materially affect the volume or type of traffic on a GLA road; require direct access to a GLA road or be likely to prejudice the improvement or construction of a GLA road. We do not envisage that the Mayor should have the power to direct the planning authority over highway related matters.

	Additions to base network	*Deletions from base network*
Adjustment for new road	New A13 (West of Heathway to Wennington) A12 (Hackney Wick—M11 link) A1203/A1261 (Limehouse Link/Aspen Way) A1020 Royal Docks Road	Old A13 (West of Heathway to Wennington) A11 (Bow interchange—Green Man Roundabout) A106 (Lea Interchange—A11 at Leytonstone) A117 Woolwich Manor Way (from A13 to A1020)
Deletions of primary routes		A307 (Kew Green—Richmond Circus) A308 (Hampton) A503 (Waterworks Corner—Tottenham Hale Gyratory)
Additions within the Inner Ring Road	A201 Kings Cross—Elephant and Castle (via Blackfriars Bridge) A200/A3200/A3036 Tooley Street, St. Thomas Street, Southwark Street, Stamford Street, York Road, Lambeth Palace Road, Albert Embankment A3211 Tower Hill, Lower and Upper Thames Street, Victoria Embankment Westminster Bridge Lambeth Bridge, Millbank (from Vauxhall Bridge to Lambeth Bridge)	

WALES

National Assembly

Mr. Swayne: To ask the Secretary of State for Wales what leisure facilities are planned to be made available for members of the National Assembly; and if he will make a statement. [69218]

Mr. Michael: I have asked for a review of leisure facilities available to Welsh Office staff in Cardiff and elsewhere. Most of the staff to be employed by the Welsh Assembly will transfer from the Welsh Office in Cathays Park where the leisure facilities available to staff are quite limited. There is a fitness suite in Cathays Park, known as the Welsh Office Crown Building Fitness Centre, opened in May 1992, on the initiative of a number of staff. The suite is run as a private club by a committee of staff and its use is restricted to club members. The Department provides the accommodation in the mezzanine of Cathays Park but the equipment is funded by members' subscriptions and loans from the Civil Service Sports Council.

There is also a Welsh Office Sports and Social Association (WOSSA) funded by subscription from staff, for which the Welfare Department provides the secretariat. However this has not been very active in recent years and any social and sporting activity carried on within the Department is generally organised by individual staff members, sometimes with the help of grants from WOSSA. Other than the support given in the form of basic accommodation, in the case of the fitness suite, the Department does not provide staff leisure facilities in Cardiff or elsewhere.

Members and officials working in Crickhowell House will be provided with an induction pack which will list the leisure facilities in the Bay and surrounding area. There is no room at present in Crickhowell House to provide any facility similar to that at Cathays Park, but as additional space becomes available, in due course, it may be possible to provide leisure facilities. Following the review, recommendations will be prepared for consideration by the Assembly.

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his answer of 21 January 1999, *Official Report*, column *549*, on the National Assembly, when he expects to lay the draft of the Order relating to disqualification of persons from membership of the National Assembly before Parliament. [69690]

Mr. Michael: Section 12 of the Government of Wales Act 1998 deals with disqualification from membership of the National Assembly. It provides that certain individuals and classes of person may not be members of the Assembly:

> by applying section 1(1) of the House of Commons (Disqualification) Act 1975, judges, civil servants, members of the armed forces, members of the police forces and members of foreign legislatures;
>
> those disqualified from being a member of a local authority;
>
> the Auditor General for Wales and the Welsh Administration Ombudsman;
>
> criminals in detention and those who have escaped; and
>
> Lords-Lieutenants and High Sheriffs for areas in Wales who are disqualified from representing those areas in the Assembly.

Section 12 also provides for an Order-in-Council to designate further offices and employments, the holding of which would be incompatible with membership of the Assembly. A consultation exercise invited views on the offices and employments that might be covered by the Order.

Having considered the comments received, I have set out in a draft Order-in-Council which has today been laid before both Houses of Parliament, a list of the proposed disqualifying offices and employments. The draft Order-in-Council is subject to affirmative resolution procedure in both Houses before being put to Her Majesty in Council.

The draft Order proposes the following disqualification from membership of the Assembly:

(a) Members of

National Park Authorities in Wales

Cardiff Bay Development Corporation

Rent Assessment Panel in Wales

Registered Inspectors Appeal Tribunal

Sianel Pedwar Cymru

Arts Council for Wales

Audit Commission for Local Authorities and National Health Service in England and Wales

Broadcasting Standards Commission

Channel Four Television Corporation

Commission for Local Administration in Wales

Competition Commission

Council of the Advisory, Conciliation and Arbitration Service

Countryside Council of Wales

Environment Agency

Forestry Commissioners

General Teaching Council for Wales

Independent Television Commission

Joint Nature Conservation Committee

Local Government Boundary Commission for Wales

Mental Health Review Tribunal for Wales

Occupational Pensions Regulatory Authority

Pensions Compensation Board

Radio Authority

Royal Commission on Ancient and Historical Monuments in Wales

Sports Council for Wales

Wales Tourist Board

Welsh Language Board

Council of the National Library of Wales

Council of the National Museum of Wales

(b) Members (not also being employees) of

Further Education Funding Council for Wales

Higher Education Funding Council for Wales

Qualifications, Curriculum and Assessment Authority for Wales

Welsh Development Agency

Certification Officer or assistant certification officer

Welsh National Board for Nursing, Midwifery and Health Visiting

Health Authority in Wales

NHS Trust in Wales

Special Health Authority in Wales

(c) other disqualifying offices

- Chief Adjudication Officer appointed under section 39 of the Social Security Administration Act 1992
- Chief Child Support Officer appointed under section 13 of the Child Support Act 1991
- Civil Service Commissioner
- Commissioner for Public Appointments
- Commissioner for Protection against Unlawful Industrial Action
- Commissioner for the Rights of Trade Union Members
- Commissioner or assistant Commissioner of the Boundary Commission for Wales
- Director General of Electricity Supply
- Director General of Fair Trading
- Director General of Gas Supply
- Director General of Telecommunications
- Comptroller and Auditor General
- Governor of the British Broadcasting Corporation
- Health Service Commissioner for Wales
- Her Majesty's Chief Inspector of Schools in Wales
- Member of a Medical Appeal Tribunal appointed under section 50 of the Social Security Administration Act 1992
- Member of a panel appointed under section 6 of the Tribunals and Inquiries Act 1992 of persons to act as chairmen of Child Support Appeal Tribunals
- Member of a panel appointed under section 6 of the Tribunal and Inquiries Act 1992 of persons to act as chairmen of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals
- Member of a panel of persons appointed under section 6 of the Social Security Act 1998
- Member of a panel of persons who may be appointed to serve on a Vaccine Damage Tribunal
- Member of the Council of the National Library of Wales
- Member of the Council of the National Museum of Wales
- Staff of the Auditor General for Wales
- Staff of the Forestry Commissioners
- Staff of the National Audit Office
- Pensions Ombudsman
- Staff holding politically-restricted posts in local government and National Park Authorities in Wales (unless exemption is obtained under the Local Government and Housing Act 1989)
- President of appeal tribunals appointed under section 5 of the Social Security Act 1998
- President of Social Security Appeal Tribunals, Medical Appeal Tribunals and Disability Appeal Tribunals
- Regional or other full time chairman of a child support appeal tribunal established under section 21 of the Child Support Act 1991
- Regional or other full time chairman of Social Security Appeal Tribunals, Medical Appeals Tribunals or Disability Appeals Tribunals
- Rent Officers appointed under the Rent Act 1977
- Returning Officers in Assembly elections
- Social Fund Commissioner.

There will be separate arrangements outside the Order-in-Council to cover the disqualification of members of the Boards of Training and Enterprise Companies in Wales, Career Companies in Wales and the Welsh European Programme Executive Ltd.

I have decided not to take forward the suggestion contained in the consultation paper that staff of the bodies listed in the draft Order should be disqualified. However, where an employee of such a body is elected as a member of the Assembly, I would expect that person to resign their paid employment immediately following election.

Economically Active People

Mr. Rowlands: To ask the Secretary of State for Wales if he will estimate the number of economically active people in Wales between the ages of (i) 25 to 34 and (ii) 35 to 49 years *(a)* currently, *(b)* in 1992 and *(c)* in 1997. [70068]

Mr. Hain: Estimates of the economically active in Wales, from the Labour Force Survey, are shown in the following table.

Economically active, Wales (not seasonally adjusted)

	Age 25–34	*Age 35–49*
September to November 1992	326,000	467,000
September to November 1997	331,000	478,000
September to November 1998	323,000	487,000

Source:

Labour Force Survey, Office for National Statistics

In future this will become the responsibility of the National Assembly.

Class Sizes

Mr. Swayne: To ask the Secretary of State for Wales what estimates his Department has made of the percentage of *(a)* five year olds, *(b)* six year olds and *(c)* seven year olds that were in classes of 30 or less in January 1997. [70059]

Mr. Hain: As I informed the hon. Member in my reply on 3 February 1999, *Official Report*, column *609*, information on the number of pupils in classes of 30 or more was not available prior to 1998. Until January 1998, data were collected centrally only for the number of classes, by size of class, not for the number of pupils in each class.

In January 1997, 24 per cent. of ordinary classes in primary schools had more than 30 pupils.

In future this will become the responsibility of the National Assembly.

Registered Housing Associations

Mr. Livsey: To ask the Secretary of State for Wales if he will list the procedures which his Department's officials will follow in taking formal action in relation to registered housing associations, their committee members and members of staff; when these procedures were agreed to and by whom; and what actions have been taken to date under these procedures. [69721]

Mr. Jon Owen Jones: The formal actions available to the Department are set out in Schedule 1 of the Housing Act 1996 and are:

- power to appoint a new committee member
- power to direct an inquiry into the affairs of an association
- power to require an extraordinary audit of accounts and balance sheet
- where an inquiry or audit establishes misconduct or mismanagement, to remove or suspend officers, employees or agents, to freeze bank accounts or to restrict transactions.

The Department has taken no action under these procedures.

In future this will become the responsibility of the National Assembly.

SOCIAL SECURITY

Benefits Agency (Telephone Calls)

Mr. Hancock: To ask the Secretary of State for Social Security (1) what estimate he has made of the proportion of telephone calls made to Benefits Agency offices which are not answered within the target times; [69003]

(2) how many complaints concerning the failure of Benefits Agency offices to answer telephones promptly he has received in each of the last three years; [69004]

(3) what targets he has set the Benefits Agency concerning the answering of telephone calls. [69005]

Angela Eagle: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Mike Hancock, dated 9 February 1999:

I am replying to your recent Parliamentary Questions asking, what estimate has been made of the proportion of telephone calls made to Benefits Agency (BA) offices which are not answered within the target times, how many complaints concerning the failure of BA offices to answer telephones promptly he has received in each of the last three years, and what targets he has set the BA concerning the answering of telephone calls.

The information is not available in the format requested. At present the Agency does not have a national target covering telephone response times, although each individual District sets and publishes its own target.

The BA introduced a series of measurement checks last year which included telephone call response times. The first year's checks will be completed by the end of March 1999 and figures reflecting this period of measurement will be available by the end of April 1999. The measurement checks will produce figures, including average telephone response times, which are statistically valid within each of the Agency's 17 Area and Benefit Directorates.

The Agency does not maintain national records of the number of complaints received in respect of telephone response times although individual Districts maintain complaints information which is analysed and used to improve services locally.

The BA is currently piloting new complaints handling procedures, designed to ensure that all offices which deal with the public, record and collate complaints in a consistent way. Once the results of the pilot exercise have been evaluated we will consider how best to introduce the most effective system.

I hope you find this reply helpful.

Disability Benefits Unit

Mr. Chope: To ask the Secretary of State for Social Security to what extent the Disability Benefits Unit has been completing review decisions during the current year in line with the targets which have been set. [69640]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Christopher Chope, dated 9 February 1999:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking to what extent the Disability Benefits Unit has been completing review decisions during the current year in line with the targets which have been set. The Disability Benefits Directorate's published targets for 1998/1999 for clearance of Disability Living Allowance (DLA) reviews is 60% in 55 working days and 80% in 75 working days.

The actual year to date achievement of DLA review clearances is, as at 31 January 1999, 70% in 55 days and 86.05% in 75 days.

I hope you find this reply helpful.

Efficiency Gains

Mr. Willis: To ask the Secretary of State for Social Security what plans he has to express efficiency gains as a percentage of his departmental budget; and if he will make a statement. [69632]

Mr. Darling: I refer the hon. Member to the Department's interim Public Service Agreement which was published in the Government's White Paper "Public Services for the Future: Modernisation, Reform, Accountability" in December 1998.

Family Credit

Mr. Hancock: To ask the Secretary of State for Social Security if he will estimate the average number of hours which a non-main earner in a couple receiving family credit benefits works per week. [69681]

Angela Eagle: As at August 1998, in those couples where both members of the couple work, it is estimated that the non-main earner works, on average, 18 hours per week.

Note:

Figure is based on a 5 per cent. sample of all Family Credit claimants.

Source:

Family Credit Quarterly Statistical Enquiry, August 1998.

Mr. Hancock: To ask the Secretary of State for Social Security what is the average amount that the main earners in couples receiving family credit work per week. [70216]

Angela Eagle: As at August 1998, the average number of hours worked by the main earner in couples receiving Family Credit was 33.5 hours per week.

Note:

Figure is based on a 5 per cent. sample of all Family Credit claimants.

Source:

Family Credit Quarterly Statistical Enquiry, August 1998.

Mr. Hancock: To ask the Secretary of State for Social Security what was the average family credit award in 1998. [70278]

Angela Eagle: A complete set of data for the whole of 1998 will not be available until April 1999. The latest information is for August 1998 at which time the average award of Family Credit was £59.82 per week.

Note:

Figure is based on a 5 per cent. sample of all Family Credit claimants.

Source:

Family Credit Quarterly Statistical Enquiry, August 1998.

Mr. Martlew: To ask the Secretary of State for Social Security if he will publish the Benefit Fraud Inspectorate's report on Family Credit. [70863]

Mr. Darling: The Benefit Fraud Inspectorate was asked to study the working practices and procedures at the Family Credit Unit to see what further improvements could be made in tackling Family Credit fraud. I am now considering the Inspectorate's findings. A copy of the Inspectorate's report is being placed in the Library.

Lone Parents (Working Hours)

Mr. Hancock: To ask the Secretary of State for Social Security what is the average amount that lone parents work per week. [70279]

Ms Hewitt: I have been asked to reply.

The information requested falls within the responsibility of the Director for the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Mike Hancock, dated 10 February 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the hours of work of lone parents.

The latest estimates available from the UK Labour Force Survey are that in autumn 1998 46 per cent. of lone parents with dependent children were in employment. They worked an average of 29 hours per week.

This average is defined using total usual hours, that is, hours usually worked including paid and unpaid overtime and excluding meal breaks. The estimate is based on respondents' main jobs and is not seasonally adjusted. Dependent children are defined as those aged 0–15 and 16–18 year olds in full-time education.

LORD CHANCELLOR'S DEPARTMENT

Public Bodies

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69978]

Mr. Hoon: The Lord Chancellor's Department sponsors two such bodies: the Legal Aid Board and the Authorised Conveyancing Practitioners Board. However, the latter has been inactive since March 1992 when the previous Lord Chancellor announced his decision to postpone implementation of the Authorised Practitioners Scheme.

The Answers in respect of the Legal Aid Board are:

(a) no

(b) no

(c) yes

(d) yes, but not under a statutory requirement.

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69945]

Mr. Hoon: The Lord Chancellor's Department sponsors two such bodies: the Legal Aid Board and the Authorised Conveyancing Practitioners Board. However, the latter has been inactive since March 1992 when the previous Lord Chancellor announced his decision to postpone implementation of the Authorised Practitioners Scheme.

The Legal Aid Board does not publish either the minutes of, or the agendas and documents for, meetings.

It does have a register of interests, which is published.

There are no relevant statutory requirements.

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69960]

Mr. Hoon: For the advisory non-departmental public bodies listed under my Department in the Cabinet Office publication 'Public Bodies 1998', the answers are as follows:

(a) none

(b) none, but the Civil Justice Council will be holding annual open meetings.

There is no statutory requirement for these bodies in these areas.

(c) the following bodies have lay or consumer representatives:

The Advisory Committee on Legal Education and Conduct has lay members: the Lord Chancellor must by statute have regard to the desirability of appointing persons who have experience in, or knowledge of, consumer affairs.

The Civil Justice Council and the Civil Procedure Rule Committee have lay and consumer representative by Statute.

The Legal Aid Advisory Committee (NI) has both lay and consumer representation. The relevant Order indicates the attributes required for membership.

All the Advisory Committees on JPs have at least one lay member as do most of the Advisory Committees on General Commissioners of Income Tax.

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69909]

Mr. Hoon: The Lord Chancellor's Department sponsors two such bodies: the Legal Aid Board and the Authorised Conveyancing Practitioners Board. However, the latter has been inactive since March 1992 when the previous Lord Chancellor announced his decision to postpone implementation of the Authorised Practitioners Scheme.

The Legal Aid Board has a statutory base and is subject to investigation by the Parliamentary Commissioner for Administration.

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department which of the advisory non-departmental public bodies sponsored by his

Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69831]

Mr. Hoon: For the advisory non-departmental public bodies listed under my Department in the Cabinet Office publication 'Public Bodies 1998', the answers are as follows:

> *(a)* none, although the Advisory Council on Public Records and the Civil Justice Council publish summary reports.
>
> *(b)* none
>
> *(c)* the Advisory Council on Public Records and the Legal Aid Advisory Committee (NI) have registers of members' interests. Registers for the other bodies are at various stages of preparation, except where the body is due to be wound up soon.

There are no statutory requirements in these areas.

Worshipful Company of Scriveners

Mr. Gardiner: To ask the Minister of State, Lord Chancellor's Department what plans he has to end the monopoly in London of the Worshipful Company of Scriveners. [70040]

Mr. Hoon: The Government have concluded that the monopoly of the Worshipful Company of Scriveners over notarial work in the central London area should be ended. An appropriate amendment will be moved to the Access to Justice Bill.

TREASURY

Public Sector Research Establishments

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on his proposals for developing the commercial potential of the output of public sector research establishments. [70900]

Mrs. Roche: I am very pleased to announce that John Baker, who is Chairman of Medeva plc, has agreed to investigate the commercialisation of public sector research establishments (PSRE) outputs, with the view to making recommendations for increasing the rate of their exploitation. The study takes forward a commitment made in the Competitiveness White Paper, published last December. Mr. Baker will be working closely with HM Treasury and the Office of Science and Technology, who are collaborating on the initiative.

It is time we took a close look at how we maximise the commercial potential of the high quality research that is carried out by the PSREs, where it is possible to do so. We need to identify the barriers to commercialising research and make sure that the PSREs share the best ways of overcoming them. The results should be of great benefit to the PSREs and the Departments that sponsor them.

The intention is that the study will look in particular at the coverage of commercialisation in research contracts between PSREs and their sponsors, the organisation of the knowledge transfer process and incentives for PSRE staff.

John Baker will begin this work very soon; seeking the views of key people in the PSREs and sponsor Departments. He is expected to report later this year.

The terms of reference of this study are as follows:

> To investigate the commercialisation of research in the Government's public sector research establishments (PSREs) and make recommendations for increasing the rate at which PSRE research outputs are successfully commercialised, consistent with other Government objectives for PSREs, with reference in particular to:
>
> > the role of sponsor departments/Research Councils in promoting the exploitation of research in the PSREs;
> >
> > progress in improving the culture of entrepreneurship within PSREs—particularly through the adoption of new guidance on exploiting Government assets;
> >
> > the organisational capacity and expertise for managing and exploiting Government IP effectively;
> >
> > specific institutional barriers, and possible new incentives;
> >
> > spreading best practice;
> >
> > the scope for closer co-operation with the private sector.

Electronic Capital Equipment

Mr. Nigel Jones: To ask the Chancellor of the Exchequer (1) if he will introduce fiscal incentives to encourage recycling of electronic capital equipment; and if he will make a statement; [68630]

(2) what fiscal incentives are available to industry to encourage recycling of electronic capital equipment. [68631]

Ms Hewitt: There are no special fiscal incentives to encourage recycling of electronic equipment. Businesses make a commercial judgment on whether or not to recycle any equipment. Where they do so the cost of recycling is treated for tax purposes in the same way as any other business cost. However, tax relief already exists for firms that give gifts of trading stock, or equipment they have used in their trade, to recognised educational establishments.

Alcohol and Tobacco Fraud Review

Mrs. Lait: To ask the Chancellor of the Exchequer when he expects to implement in full the recommendations of the HM Customs and Excise Alcohol and Tobacco Fraud Review; and which of the recommendations have been implemented. [69554]

Dawn Primarolo: The Government have already implemented major recommendations of the review by making available resources to enable Customs to deploy additional staff to tackle the smuggling of alcohol and tobacco. Sixty-six new staff were in post at the south-east Channel Ports by the end of November 1998, and the remainder will be in post at other ports and inland by the end of February 1999, taking the total number of new staff to over 100.

Customs are currently undertaking a wide-ranging consultation exercise with the trade to establish the cost to industry of implementing the many review recommendations which involve procedural changes to tighten up on fraud. Subject to the outcome of that consultation, a final decision will be taken on how and when the measures are to implemented during 1999.

Some of the remaining recommendations require the participation of all EU member states.

ATFR recommendations which have been implemented are shown in the following table:

Rec. number	*Recommendation*
2	Government to consider making available additional resources to adopt a high impact approach at the Channel ports
3	Government to consider making available additional resources inland to tackle the sale and distribution and sale of illicit excise goods
4	Government to consider making available additional resources to enable Customs Solicitors Office to progress cases arising from the deployment of additional resources
40	Government to consider making available increased Customs anti-smuggling resources to combat the risk of cigarette smuggling
44	UK to continue joint action with other member states to tackle cigarette smuggling by air
45	The participation of Customs officers in Police roadblocks
46 and 47	Customs to amend the regulations for the holding and movement of duty suspended goods
48	Customs to review its prosecution policy for excise smugglers
51	Customs should ask the courts to disqualify smugglers from driving for set periods
52	Customs should apply for curfew orders in all appropriate excise smuggling cases
53	Customs should ask the Lord Chancellor's office to advise on publishing guidance on sentencing for excise smuggling
54	Customs to seek compensation orders in addition to any other sentence imposed by courts
55	Customs to explore with the Police that targeted checks be made on hired vans and cars
57	Customs to adopt a tougher policy on seized vehicles with high restoration charges
58	Customs should continue to arrest, charge and prosecute persistent offenders where large quantities of excise goods are involved
60	Customs should seek the confiscation of assets of excise smugglers
69	Customs to take up vendor control problems with relevant fiscal authority
76	Customs should incorporate promiscuous checks on warehouses in assurance plans
79	Customs should continue blitzes of high risk traders
81	Customs should further develop a national task force approach involving closer working with other agencies

HOME DEPARTMENT

Quantum Project

Angela Smith: To ask the Secretary of State for the Home Department if he will announce the conclusions of the Prison Service's review of the Quantum project. [70899]

Mr. Straw: The Prison Service's six-month review of the Quantum project announced on 10 August 1998 has been concluded. I have seen the review report. The Director General and the Executive Committee of the Prison Service endorses the recommendation made in the report to take the project forward by means of a framework agreement in partnership with one of the two short-listed suppliers. The contract will cover an Information Technology infrastructure service, joint development of a strategy for Information Technology-based business change and an agreed mechanism for implementing business change on a partnership basis.

Freedom of Information

Mr. Canavan: To ask the Secretary of State for the Home Department if he will make a statement on the Government's plans for legislation on freedom of information. [68642]

Mr. Straw: Freedom of information is an essential component of the Government's programme to modernise British politics, as set out in our manifesto. This programme of constitutional reform aims to involve people more closely in the decisions which affect their lives. Giving people greater access to information is fundamental to that aim.

The effect of a Freedom of Information Act will be that for the first time, every citizen in the country will have the right of access to information held by bodies across the public sector. I believe this will radically transform the relationship between Government and citizens.

The Government published their proposals for Freedom of Information in December 1997 in a White Paper entitled, "Your Right to Know". The Home Office took over responsibility for Freedom of Information legislation from the Cabinet Office in the Summer, to enable the policy to be developed alongside other constitutional measures, such as human rights and data protection. Since then, we have devoted a great deal of effort towards translating the White Paper's proposals into a draft Bill. That process is very nearly complete, and the Government will publish a draft Bill as soon as it is ready.

There are those who feel that the Government should have produced a Bill sooner. I must emphasise, however, that any delay is not an indication of a lack of commitment on the part of the Government. It is quite the reverse. Indeed, we have devoted additional resources to work on Freedom of Information. This is a complex subject. There have been a great number of issues to resolve: for example: the need to address existing legislation which impinges on freedom of information, including that which arises from our international legal obligations; the need to consider the implications of devolution; the practicalities of the enforcement mechanism. These are just a few of the issues which have occupied us for some time, but I am convinced that we are right to take the time to get the detail right. If we are to achieve our aims then we must have an Act that is realistic and workable.

We therefore look forward to a thorough and informed debate when we publish the draft Bill. There will be a period of public consultation, during which the Bill will receive pre-legislative scrutiny by the Select Committee for Public Administration. We hope and expect that this process of scrutiny will lead to a more effective Bill. Following this period of consultation, the Government are committed to introducing the Bill to Parliament as soon as the legislative programme allows.

A Freedom of Information Act will radically change the way Government conducts its business. Government alone cannot bring about the cultural change necessary in public sector bodies for a more open approach in their relationship with the public. It will be for a wide variety of public bodies to implement the legislation, and cultural change must take place in all of those bodies if the Freedom of Information Act is to succeed. During the consultation period, I will set out my proposals for delivering this cultural change.

Crime Prevention

Mr. Beith: To ask the Secretary of State for the Home Department what was the expenditure on his Department's crime prevention initiatives, in cash and real terms, in each of the last three years; what is the planned cash and real terms spending in each of the next three years; and if he will make a statement. [70325]

Mr. Boateng: Over the last three years, (1996–97, 1997–98 and 1998–99) £12.4 million, £16.1 million and £9.4 million will have been spent in cash terms on crime prevention initiatives. In real terms at 1998–99 prices this is £13 million, £16.5 million and £9.4 million.

In July 1998 the Government announced a new £250 million crime reduction programme. Over the three years from April 1999 the planned cash expenditure for this programme and other crime prevention initiatives is £42.1 million in 1999–2000, £101.8 million in 2000–01 and £111.8 million in 2001–02. In real terms at 1998–99 prices this is £41 million, £96.8 million and £103.8 million.

These figures are in addition to public expenditure on the police service, one of whose key functions is crime prevention.

Crime (European Union)

Mr. Beith: To ask the Secretary of State for the Home Department what research his Department has undertaken on the relative levels of crime in European Union countries; and if he will make a statement. [70322]

Mr. Boateng: Information is published annually in Criminal statistics, England and Wales on the levels of crime recorded by the police in most European Union countries. In addition, we have participated in all three sweeps of the International Crime Victimisation Survey, which provided comparative data on crime levels for most European Union countries. The latest results relating to victim's experience of crime in 1995 were published in Home Office Research Findings No 57.

Copies of both publications are in the Library.

General Pinochet

Mrs. Gillan: To ask the Secretary of State for the Home Department (1) what was the total cost of *(a)* issuing and *(b)* serving the arrest warrant for General Pinochet; and what was the breakdown of costs; [70251]

(2) what out-of-hours costs were involved in the issuing and execution of the arrest warrant for General Pinochet. [70252]

Mr. Straw *[holding answer 9 February 1999]:* The costs incurred in police operations are a matter for the Commissioner of Police of the Metropolis.

Mrs. Gillan: To ask the Secretary of State for the Home Department what contacts his Department had with journalists concerning the incorrect reports of General Pinochet's death in October 1998 *(a)* before and *(b)* after the story was published. [70253]

Mr. Straw *[holding answer 9 February 1999]:* My Department has no knowledge of any contacts with the media about this matter.

Town Centres Working Party

Mr. Vaz: To ask the Secretary of State for the Home Department when he expects that the Working Party on Town Centres will report. [70404]

Mr. Boateng: A small working group is being established by the Association of Town Centre Managers to look into the development of "Speakers Corners" in town centre areas. The Home Office and other departments will contribute to this work. I understand that the first meeting will be held around the end of February and the group hopes to report in the summer.

Female Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department how many women prisoners have been held in prison in England and Wales and had a child or children with them in each of the last 10 years. [69175]

Mr. George Howarth: Information on the average female prison population in England and Wales over the last 10 years is given in the table. This information is also published (up to 1997) in "Prison Statistics England and Wales" (table 1.4 of the 1997 edition), a copy of which is in the Library.

Information on the number of women who had a child or children with them in prison in each of the last 10 years is not collected centrally. However, on 1 February 1999, there were 51 women occupying places in the four mother and baby units within the female prison estate.

Average population of females in prisons in England and Wales, 1989–1998

Year	*Average population*
1989	1,767
1990	1,597
1991	1,561
1992	1,577
1993	1,561
1994	1,811
1995	1,979
1996	2,262
1997	2,675
1998	3,105

English Hooligans

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on action taken against English hooligans attending the World Cup. [70264]

Mr. Boateng: The French authorities have provided the National Criminal Intelligence Service with information about all those arrested or deported from France. For those convicted of criminal offences in France, the French authorities have provided the Home Office with the court judgments in accordance with the bilateral agreement reached with France before the World Cup. We have requested further details in a number of cases with a view to determining whether there are sufficient grounds to apply to the domestic courts for the issue of a restriction order to prevent the offenders travelling to future matches abroad.

Police (Hampshire)

Mr. Hancock: To ask the Secretary of State for the Home Department what assessment he has made of the adequacy of police numbers in Hampshire. [70065]

Mr. Boateng: My right hon. Friend has made no assessment of police numbers in the Hampshire Constabulary. Under legislation passed by the previous Government in 1994, it is for the chief constable to determine the number of police officers in the force, within the resources available to him or her.

In its latest annual report on police performance, published on 28 January, the Audit Commission concluded that success in solving crime does not depend solely on numbers of police officers available.

Police (Avon and Somerset)

Mr. Heathcoat-Amory: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* police civilian employees there were in the Avon and Somerset Constabulary on *(a)* 1 May 1997 and *(b)* the most recent date for which figures are available. [70170]

Mr. Boateng: Information on police numbers is collected at the end of March and September of each year. The statistics for the period requested are set out in the table.

Avon and Somerset Constabulary

Date	*Police Officers*	*Civilian support staff*	*Traffic wardens*
31 March 1997	2,989	1,439	108
30 September 1998	2,966	1,435	101

Brian Parsons

Mr. Mullin: To ask the Secretary of State for the Home Department, pursuant to his answer of 25 January 1999, *Official Report*, column *70*, on Brian Parsons, what are the salary costs of the officers on the inquiry; and if they will be charged to the Devon and Cornwall Constabulary. [70109]

Mr. Boateng: I understand that the overall cost to date of the investigation and associated work by Hampshire Constabulary on this case is £430,000, of which salary costs account for £320,000. The salary costs are not being charged to the Devon and Cornwall Constabulary.

EDUCATION AND EMPLOYMENT

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69776]

Mr. Mudie: The Department follows the Cabinet Office best practice guidance on consultations including publicising and making available the results of consultation exercises wherever practicable. For individual consultations this can take the form of a press notice or ministerial statement, and the detailed results are made available on request.

Medical Students

Mr. Prior: To ask the Secretary of State for Education and Employment over the last five years, how many medical students completed their academic studies; and how many, having completed their studies, did not become practising doctors. [70087]

Mr. Mudie: The available data are shown in the following table:

First degree graduates in medicine/dentistry in the UK

Medical students	*1993–94*[1]	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Number of graduates	4,600	5,700	5,700	6,000	5,900
of which, those with known destinations[2]	4,400	3,900	4,400	4,300	n/a
of which, those entering full-time permanent employment in the UK	4,200	3,700	3,900	3,800	n/a
of which, those entering medical occupations[3]	n/a	3,500	3,700	3,600	n/a

[1] Figures for 1993–94 are not directly comparable to those for later years because of a change in the data collection process

[2] Destination six months after graduation.

[3] "Medical occupations" covers general practitioners and doctors, and hospital house officers.

Mr. Prior: To ask the Secretary of State for Education and Employment what percentage of first-year medical students failed to become a fully qualified doctor in the five most recent years for which figures are available. [70086]

Mr. Mudie: Information on non-completion rates analysed by subject of study is not compiled centrally.

Adult and Community Learning Fund

Kali Mountford: To ask the Secretary of State for Education and Employment if he will make a statement on the outcome of the second round of bidding to the Adult and Community Learning Fund. [71001]

Mr. Mudie: Nearly 500 applications were received in the second round of bidding to the Adult and Community Learning Fund which closed on 30 November 1998. Following consideration by the Department's independent Advisory Panel we are today announcing funding of £3.5 million for 96 projects covering a wide range of local activities to involve more people in learning relevant to their lives. A list of the successful projects has been placed in the Library.

New Deal

Mr. Soley: To ask the Secretary of State for Education and Employment if he will make a statement on the effectiveness of the New Deal in *(a)* London and *(b)* other regions. [69557]

Mr. Andrew Smith *[holding answer 8 February 1999]:* Responsibility for the subject of this question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Clive Soley, dated 10 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question asking for a statement on the effectiveness of the New Deal in London and other regions. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The New Deal for young unemployed people is developing well in London. The latest Government Statistical Service figures to the end of November 1998 show that in the London area of the Employment Service London and South East Region, over 31,000 young people have joined the New Deal for 18–24 year olds. While most are still on the Gateway phase of the programme, over 5,000 have found unsubsidised jobs; 950 have been placed into subsidised jobs; over 3,000 have joined the Full-Time Education and Training option; nearly 750 the Voluntary Sector option; and some 330 the Environment Task Force. A comparison with other Employment Service Regions in England and with Scotland and Wales is set out in the table at annex A.

More generally, the effectiveness of New Deal is being assessed through a comprehensive evaluation strategy within which a number of qualitative and quantitative surveys are being carried out. The findings from these surveys, as and when they are available, form part of our continuous improvement strategy in that they help identify those aspects of our processes which are working well and those that are capable of being improved. Findings from the evaluation surveys are communicated within the ES and to our partners who form part of over 40 partnerships in London responsible for New Deal delivery. Each partnership will draw up an action plan for performance improvement over the next 12 months, based on the evidence from local management information and evaluation findings.

If you would like to discuss the progress of New Deal in the London area in more detail, Stephen Holt, the Director for the Employment Service London and South East Region, would be happy to do so. He can be contacted on 0171 211 4395.

I hope this is helpful.

Annex A: New Deal for 18–24 year olds

ES region/country	*Number starting New Deal*	*Unsubsidised jobs*	*Subsidised jobs*	*FTET option*	*VS option*	*ETF option*
East Midlands and Eastern	16,881	3,436	825	1,977	483	410
London and South East	50,024	9,214	1,866	5,200	1,312	744
Northern	15,222	2,447	1,137	2,871	616	595
North West	29,343	5,250	2,230	3,597	628	899
South West	12,021	2,539	1,007	1,525	647	412
West Midlands	19,444	3,643	861	2,328	419	492
Yorkshire and Humberside	24,720	4,296	1,603	3,557	900	963
Office for Scotland	21,438	3,889	1,680	2,294	1,033	792
Office for Wales	12,965	2,428	1,252	1,642	440	701
National Total	202,058	37,142	12,461	24,991	6,478	6,008

Notes:

1. The figures above are from the Government Statistical Service (GSS) First Release for period ending November 1998.
2. It should be noted that the Government First Release national figures also include those outcomes where a Regional Office is not known. For this reason, and also because of rounding up or down, the national total above will not necessarily equate to the figures shown in the First Release. The variations are however small.

Mr. Vaz: To ask the Secretary of State for Education and Employment what reports he has received from (1) Fernley Employment Service and (2) Pelcon on their delivery of the New Deal. [69234]

Mr. Andrew Smith: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Keith Vaz, dated 10 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question asking if he has received any reports from Fernly Business Services or Pelcombe about New Deal. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The Secretary of State has received Delivery Plans from both Fernly Business Services, in respect of their delivery of New Deal for 18–24 year olds in Leicestershire, and from Pelcombe in respect of the New Deal 25 Plus pilot in Leicestershire and South Humber.

Fernly took over delivery of New Deal from July 1998 and Pelcombe implemented the 25+ pilots on 30 November 1998. Under the terms of their contract for the delivery of New Deal both Fernly Business Services and Pelcombe are required to submit monthly management information reports on their performance. These are discussed on a monthly basis with the Employment Service and any issues are highlighted and addressed.

I hope this is helpful.

Mr. Vaz: To ask the Secretary of State for Education and Employment what steps he has taken to ensure that the New Deals for *(a)* lone parents and *(b)* over 25s meet the needs of the ethnic minority community. [69233]

B

Mr. Andrew Smith: We are ensuring that the Employment Service develops effective links with local communities. In many locations lone parent advisers and community organisations work together to offer New Deal outreach services, and publicity materials are produced in ethnic minority languages. The New Deal personal advisers are trained in equal opportunities awareness, and given guidance on the problems facing people from ethnic minorities. I am monitoring the participation of ethnic minorities within all the New Deal programmes to ensure they are treated fairly.

PGCE Applicants

Helen Jones: To ask the Secretary of State for Education and Employment how many and what percentage of applicants for PGCE courses in (i) primary and (ii) secondary teaching obtained either a first or an upper second class honours degree for the latest period for which figures are available. [69794]

Ms Estelle Morris *[holding answer 9 February 1999]:* No information is available about the degree class of PGCE applicants.

The following table gives information about the degree class of PGCE intake.

Number and percentage of first-year trainees on postgraduate initial teacher training courses with either a first or an upper second class honours degree in England, 1996–97

	First-year trainees with a first or 2:1 [1]	
	Number	*Percentage*
Primary	2,480	49
Secondary	6,277	46
Total	8,757	47

[1] Trainees with an undivided second class degree are classified as upper second class

Source:

TTA Survey under the Framework for the Assessment of Quality and Standards in ITT

SATS (Financial Allocations)

Mrs. May: To ask the Secretary of State for Education and Employment if he will list the extra money allocated to each local education authority for the improvement of year 6 SATS results in *(a)* 199[illegible]–99 and *(b)* 1999–2000. [70119]

Ms Estelle Morris *[holding answer 9 February 1999]:* A new £18 million programme will support the teaching of literacy and numeracy for year 6 pupils outside normal school hours. The programme will start in the February half-term to the end of the Easter break and into the early part of the summer term. The grant allocation to Local Authority for two financial years requested is as follows:

£000

Number	*LEA*	*Total allocation for LEA maintained schools 1998–99*	*Total allocation for maintained schools 1999–2000*
201	City of London	0.8	0.2
202	Camden	34.4	9.8
203	Greenwich	62.6	18.1
204	Hackney	50.9	14.7
205	Hammersmith	31.6	9.2
206	Islington	47.4	13.5
207	Kensington and Chelsea	19.5	6.1
208	Lambeth	50.9	17.2
209	Lewisham	63.4	18.4
210	Southwark	56.9	17.9
211	Tower Hamlets	65.7	18.8
212	Wandsworth	48.1	15.2
213	Westminster	31.7	9.0
301	Barking	40.3	11.5
302	Barnet	71.5	21.3
303	Bexley	58.6	17.3
304	Brent	52.2	16.5
305	Bromley	60.2	19.5
306	Croydon	75.0	22.5
307	Ealing	64.9	19.4
308	Enfield	66.4	19.2
309	Haringey	54.9	15.7
310	Harrow	45.6	13.0
311	Havering	58.5	16.7
312	Hillingdon	48.1	16.2
313	Hounslow	51.3	14.7
314	Kingston upon Thames	29.3	8.7
315	Merton	28.3	8.1
316	Newham	69.2	19.8
317	Redbridge	54.0	15.4
318	Richmond upon Thames	33.4	9.5
319	Sutton	36.6	11.1
320	Waltham Forest	51.4	15.1
330	Birmingham	294.4	85.4
331	Coventry	89.7	25.6
332	Dudley	84.7	24.6
333	Sandwell	92.3	26.4
334	Solihull	57.5	16.8
335	Walsall	78.0	23.3
336	Wolverhampton	75.4	21.5
340	Knowsley	58.8	16.8
341	Liverpool	137.1	39.5
342	St. Helens	55.7	15.9
343	Sefton	83.4	23.8
344	Wirral	95.8	27.4
350	Bolton	89.7	25.9
351	Bury	56.6	16.7
352	Manchester	132.3	38.1
353	Oldham	78.0	22.3
354	Rochdale	66.5	20.5
355	Salford	74.3	21.2
356	Stockport	84.6	24.2
357	Tameside	70.8	20.2
358	Trafford	61.3	17.5
359	Wigan	101.0	28.9
370	Barnsley	70.8	20.2
371	Doncaster	93.5	26.7
372	Rotherham	81.4	23.3
373	Sheffield	122.5	36.5
380	Bradford	116.0	34.2
381	Calderdale	61.3	19.5
382	Kirklees	110.6	31.6
383	Leeds	207.9	59.6
384	Wakefield	96.9	27.7
390	Gateshead	60.3	17.2
391	Newcastle upon Tyne	67.6	19.3
392	North Tyneside	50.1	14.7
393	South Tyneside	47.2	13.5
394	Sunderland	87.2	24.9
420	Isles of Scilly	1.1	0.3
800	Bath and NE Somerset	48.2	13.8

£000

Number	*LEA*	*Total allocation for LEA maintained schools 1998–99*	*Total allocation for maintained schools 1999–2000*
801	City of Bristol	97.5	27.8
802	North Somerset	49.0	14.0
803	South Gloucestershire	74.6	21.3
805	Hartlepool	30.5	8.7
806	Middlesbrough	46.6	13.3
807	Redcar and Cleveland	47.3	13.5
808	Stockton-on-Tees	58.1	16.6
810	Kingston-upon-Hull	81.2	23.2
811	East Riding of Yorkshire	98.4	28.6
812	North East Lincolnshire	48.1	13.8
813	North Lincolnshire	50.0	14.3
815	North Yorkshire	218.0	62.4
816	York	46.4	13.3
820	Bedfordshire	69.8	22.1
821	Luton	40.1	14.0
825	Buckinghamshire	113.7	35.3
826	Milton Keynes	51.5	15.4
830	Derbyshire	227.9	67.4
831	Derby	56.0	17.2
835	Dorset	85.5	25.5
836	Poole	26.3	7.7
837	Bournemouth	26.9	8.2
840	Durham	172.1	49.2
841	Darlington	28.2	8.1
845	East Sussex	127.8	36.5
846	Brighton and Hove	50.2	14.3
850	Hampshire	306.9	91.4
851	Portsmouth	37.9	11.7
852	Southampton	48.5	13.8
855	Leicestershire	167.6	50.2
856	Leicester	78.5	22.6
857	Rutland	11.3	3.5
860	Staffordshire	241.7	70.0
861	Stoke-on-Trent	74.5	21.3
865	Wiltshire	126.7	41.1
866	Swindon	49.5	15.0
867	Bracknell Forest	27.2	7.8
868	Windsor and Maidenhead	30.5	8.7
869	West Berkshire	46.4	13.5
870	Reading	34.8	9.9
871	Slough	19.5	8.0
872	Wokingham	40.5	11.6
873	Cambridgeshire	148.2	44.2
874	Peterborough	48.7	14.2
875	Cheshire	214.3	62.2
876	Halton	44.9	12.8
877	Warrington	62.8	18.0
878	Devon	228.7	65.4
879	Plymouth	70.2	20.1
880	Torbay	29.4	8.7
881	Essex	305.4	105.5
882	Southend-on-Sea	29.9	10.4
883	Thurrock	37.9	11.3
884	Herefordshire	62.5	17.9
88[illegible]	Worcestershire	120.3	35.7
886	Kent	353.0	109.9
887	Medway Towns	68.9	19.7
888	Lancashire	404.0	116.6
889	Blackburn with Darwen	49.7	14.6
890	Blackpool	34.6	9.9
891	Nottinghamshire	220.7	63.6
892	Nottingham City	79.3	22.7
393	Shropshire	94.4	27.9
894	Wrekin, The	47.0	13.7
908	Cornwall	174.1	49.9
909	Cumbria	165.5	52.5
916	Gloucestershire	165.3	52.8
919	Hertfordshire	299.4	88.9
921	Isle of Wight	26.1	7.5
925	Lincolnshire	187.1	61.4
926	Norfolk	210.3	63.9
928	Northamptonshire	167.4	52.0
929	Northumberland	68.9	19.7
931	Oxfordshire	171.9	49.3
933	Somerset	143.2	41.7
935	Suffolk	165.7	47.3
936	Surrey	199.9	62.5
937	Warwickshire	136.5	49.4
938	West Sussex	169.0	48.8
	England	13,532.1	4,000.0

Note:

GM schools have been allocated £470,000 for financial year 1998–99 which will be administered through the Funding Agency for Schools, and thereafter through the Local Education Authority.

Primary Schools

Helen Jones: To ask the Secretary of State for Education and Employment what research his Department has commissioned into the effectiveness of *(a)* integrated curriculum work and *(b)* subject specialist teaching in improving children's learning in primary schools. [69793]

Ms Estelle Morris *[holding answer 9 February 1999]:* The Department has not recently commissioned research on the effectiveness of integrated curriculum work. But the current guidance on Key Stage 2 curriculum planning produced by the Schools Curriculum and Assessment Authority (now QCA) in 1995 addresses this issue. The frameworks for teaching literacy and numeracy produced by the Department, together with model schemes of work give the flexibility to plan through integrated themes based on the programmes of study.

The Teacher Training Agency has recently published reports of research on both effective teachers of literacy and effective teachers of numeracy. These reports and evidence from primary school inspections suggests that subject knowledge is a significant factor in improving children's learning, but that this need not always be taught through subject specialist teaching or by subject specialist teachers.

Mr. Bob Russell: To ask the Secretary of State for Education and Employment if he will reduce the distance between primary schools which is used as the criterion for considering provision of additional accommodation; and if he will make a statement. [70192]

Ms Estelle Morris: The Department will shortly be seeking views from local education authorities on the arrangements for the schools capital expenditure programme in 2000–01. One of the areas likely to be covered is Basic Need.

Grants (Devon)

Mr. Sanders: To ask the Secretary of State for Education and Employment what grants have been made, or are planned to be made, by his Department to Devon County Council in addition to revenue support grant in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000. [69365]

Ms Estelle Morris: Details of the grants, in addition to revenue support grant, made available, by the Department for Education and Employment to Devon County Council in 1997–98 and 1998–99 and planned to be made in 1999–2000 are shown in the following tables. From 1 April 1998, Torbay and Plymouth became separate unitary authorities, the figures across the first two years are therefore not directly comparable. The allocation of the grants for New Deal for Schools and the reduction of class sizes for 1999–2000 have not yet been made. For the Standards Fund the figures shown include the grant made by the Dep[illegible]ment and the contribution made by the local education authority.

Grants made available to Devon County Council in 1997–98

Grant title	*Allocation* £
Standards Fund	
School Effectiveness	2,805,300
National Curriculum Assessment—Verification KS1	117,900
National Curriculum Assessment—Supply Cover KS1	228,400
Training for KS2 Teacher Assessment	131,300
KS3 Non-core Teacher Assessment	43,100
Primary Teachers' Subject Knowledge	354,400
Special Educational Needs	369,900
Qualifications—GNVQ Provision	270,900
Qualifications—Part One GNVQ Pilot	159,500
Truancy	137,000
Disruptive and Disaffected Pupils	246,200
Pupil Behaviour and Discipline	246,700
Bilingual Pupils	45,300
Drug Prevention and Schools	80,000
Training for Careers Teachers	15,000
Youth Service	31,600
National Professional Qualification for Headship	87,600
School Security	436,300
Child Protection	26,800
Specialist Schools	626,400
Specialist Teacher Assistants	56,900
Baseline Assessment	193,900
Private Finance Initiative	75,000
Primary Performance Tables	11,700
Books for Schools	497,589
New Deal for Schools	
New Deal for Schools	965,716
Total	8,260,405

Grants made available in 1998–99 to Devon County Council

Grant title	*Allocation* £
Standards Fund	
School Effectiveness	2,093,331
School Leadership: NPQH	125,043
School Leadership: Serving Heads	53,590
Induction for Newly-Qualified Teachers	72,938
Early Years Training and Development	199,325
Reduction of Infant Class Sizes	1,000,000
Capital Work to reduce class sizes	523,479
Baseline [illegible]ssment	147,796
Assessment: [illegible]ification KS1	41,344
Assessment: Supply Cover	160,334
Training for KS2 Teacher Assessment	89,691
Effective use of National Curriculum Results	91,155
National Literacy Strategy—Primary	741,622
Summer Literacy Schools	20,000
Family Literacy	42,000
Special Educational Needs	273,004
Qualifications: GNVQ, AS/A Level, Key Skills etc.	167,986
Qualifications: Part One GNVQ Pilot	55,000
Work Related Learning at KS4	50,000
Improving Attendance	161,650
Improving Behaviour	185,650
Improving Attendance and Behaviour	148,400
Behaviour and Discipline Projects	94,300
Drug Prevention	88,844
Youth service	24,549
School Security	291,753
Specialist Schools	646,100
Specialist Teacher Assistants	19,825
National Grid for Learning	978,576
Summer Numeracy Schools	9,975
Beacon Schools	25,000
Advanced Skills Teachers	12,000
Specialist Educational Needs Regional Coordination Pilot Projects	55,000
Books for Schools	346,045
Children's Parliament	840
Year 6 Literacy and Numeracy Booster Classes	228,748
Numeracy Consultants and Leading Maths Teachers	9,350
Removal of Outside Toilets	972,035
Energy Management	175,450
Portable CD-ROM Systems for Special Educational Needs Coordinators	44,000
New Deal for Schools	
New Deal for Schools	1,287,500
Total	11,753,228

Grants made available to Devon County Council in 1999–2000

Grant title	*Allocation* £
Standards Fund	
School Improvement	3,308,308
National Professional Qualification for Headship	276,170
School Leadership: Serving Headteachers	118,359
Local Recruitment Measures	130,540
Early Years Training and Development	202,970
National Literacy Strategy—Primary	608,061
Summer Literacy Schools and Literacy at Key Stage 3	122,500
National Numeracy Strategy—Primary	774,653
Summer Numeracy Schools	20,000
Family Literacy	42,000
Family Numeracy	20,000
Lifelong Learning Development Plans	94,081
Qualifications	187,519
Work Related Learning at Key Stage 4	37,500
Special Educational Needs	407,639
Social Inclusion: Pupil Support	420,308
Drug Prevention	98,133
Youth Service	25,945
National Grid for Learning	1,212,754
School Security	308,352
Beacon Schools	37,500
Travellers and Displaced Persons	259,208
Ethnic Minority Achievement	17,597
Access Fund for Post-16 Pupils in Schools	43,412
Year 6 Literacy and Numeracy Booster Classes	65,357
Total	8,838,866

Male Teachers

Mr. Cox: To ask the Secretary of State for Education and Employment what steps his Department has taken to encourage male teachers to teach in primary and junior schools; and if he will make a statement. [69807]

Ms Estelle Morris: The Government recognise the problem of under-representation of men in primary teaching. The Teacher Training Agency has asked all providers of initial teacher training courses to set themselves targets to focus their efforts to recruit more men into teacher training, and to produce action plans stating how they will work towards that goal.

Class Sizes

Mr. Willis: To ask the Secretary of State for Education and Employment, pursuant to his answer of 14 December 1998, *Official Report*, columns *385–88*, if he will list the values of the bids made by local education authorities before 20 November 1998 for capital expenditure to meet the Government's class size pledge. [70281]

Ms Estelle Morris: The values of applications for capital funding to meet the class sizes pledge are listed in the following table by local education authority. These figures refer to the 1999–2000 bidding round.

Applications for capital funding to reduce infant class sizes: 1999–2000

£

Local Education Authority	*Grant applied for*
Barking and Dagenham	1,021,950
Barnet	75,280
Barnsley	903,398
Bath and North East Somerset	699,773
Bedfordshire	1,982,910
Bexley	176,000
Birmingham	1,817,919
Blackburn	956,063
Blackpool	1,018,480
Bolton	1,650,877
Bournemouth	4,145,060
Bracknell Forest	511,985
Bradford	—
Brent	74,116
Brighton and Hove	1,343,140
Bristol, City of	17,137,900
Bromley	1,307,750
Buckinghamshire	2,379,512
Bury	187,014
Calderdale	383,040
Cambridgeshire	936,968
Camden	177,660
Cheshire	1,847,270
City of London	—
Cornwall	2,451,424
Coventry	375,237
Croydon	1,719,140
Cumbria	1,061,200
Darlington	354,468
Derby City	847,369
Derbyshire	14,646,713
Devon	838,741
Doncaster	702,320
Dorset	745,674
Dudley	1,001,566
Durham	2,131,524
Ealing	720,000
East Riding of Yorkshire	2,475,600
East Sussex	1,154,895
Enfield	1,130,631
Essex	2,074,491
Gateshead	27,000
Gloucestershire	1,536,092
Greenwich	319,641
Hackney	—
Halton	360,000
Hammersmith and Fulham	—
Hampshire	1,422,390
Haringey	—
Harrow	—
Hartlepool	213,625
Havering	305,257
Herefordshire	1,560,742
Hertfordshire	1,059,636
Hillingdon	1,140,800
Hounslow	712,247
Isle of Wight	983,156
Isles of Scilly	—
Islington	—
Kensington and Chelsea	—
Kent	2,939,900
Kingston upon Hull	488,911
Kingston upon Thames	5,172,532
Kirklees	1,778,839
Knowsley	77,784
Lambeth	1,237,999
Lancashire	4,643,666
Leeds	1,442,077
Leicester City	805,207
Leicestershire	1,022,431
Lewisham	—
Lincolnshire	947,600
Liverpool	395,115
Luton	795,000
Manchester	602,412
Medway Towns	434,769
Merton	2,225,845
Middlesbrough	—
Milton Keynes	1,655,500
Newcastle upon Tyne	820,230
Newham	987,500
Norfolk	1,298,079
North East Lincolnshire	684,275
North Lincolnshire	220,036
North Somerset	350,875
North Tyneside	454,537
North Yorkshire	5,325,000
Northamptonshire	1,297,585
Northumberland	1,404,162
Nottingham City	497,382
Nottinghamshire	4,172,246
Oldham	1,722,164
Oxfordshire	3,535,063
Peterborough	1,612,494
Plymouth	—
Poole	492,330
Portsmouth	1,163,659
Reading	424,837
Redbridge	1,576,000
Redcar and Cleveland	402,000
Richmond Upon Thames	1,690,345
Rochdale	888,260
Rotherham	2,985,060
Rutland	—
Salford	336,772
Sandwell	294,467
Sefton	918,283
Sheffield	54,000
Shropshire	265,000
Slough	918,120
Solihull	1,545,500
Somerset	2,799,840
South Gloucestershire	1,790,718
South Tyneside	—

Applications for capital funding to reduce infant class sizes: 1999–2000

£

Local Education Authority	*Grant applied for*
Southampton	204,333
Southend on Sea	1,293,700
Southwark	1,242,500
St. Helens	1,152,256
Staffordshire	1,255,580
Stockport	2,064,682
Stockton on Tees	258,200
Stoke on Trent	1,859,575
Suffolk	1,000,500
Sunderland	292,980
Surrey	1,316,980
Sutton	421,525
Swindon	—
Tameside	1,378,675
Telford and Wrekin	116,580
Thurrock	452,798
Torbay	1,801,628
Tower Hamlets	—
Trafford	526,663
Wakefield	1,234,946
Walsall	690,854
Waltham Forest	825,280
Wandsworth	249,375
Warrington	1,996,116
Warwickshire	478,859
West Berkshire	1,574,513
West Sussex	1,348,275
Westminster	—
Wigan	1,244,728
Wiltshire	1,439,440
Windsor and Maidenhead	519,600
Wirral	938,966
Wokingham	1,083,470
Wolverhampton	1,710,044
Worcestershire	1,304,523
York, City of	434,730
Grant Maintained Schools	4,007,398
National Totals	192,118,323

Northumberland County Council

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what grants have been made by his Department to Northumberland County Council in addition to revenue support grant in *(a)* 1997–98 and *(b)* 1998–99. [70217]

Ms Estelle Morris: Details of the grants, in addition to revenue support grant, made available, by the Department for Education and Employment to Northumberland County Council in 1997–98 and 1998–99 are shown in the following tables. For the Standards Fund, the figures shown include the grant made by the Department and the contribution made by the local education authority.

Grants made available to Northumberland County Council in 1997–98

£

Grant title	*Allocation*
Standards Fund	
School Effectiveness	1,082,600
National Curriculum Assessment—Verification KS1	64,100
National Curriculum Assessment—Supply Cover KS1	78,300
Training for Key Stage 2 Teacher Assessment	41,200
Key Stage 3 No[illegible] Teacher Assessment	13,500
Special Educational Needs	103,600
Qualifications—GNVQ Provision	131,400
Qualifications—Part One GNVQ Pilot	34,000
Disruptive and Disaffected Pupils	125,800
Bilingual Pupils	7,800
Drug Prevention and Schools	20,000
National Professional Qualification for Headship	42,000
School Security	168,400
Child Protection	5,100
Specialist Schools	286,900
Specialist Teacher Assistants	27,400
Baseline Assessment	64,800
Primary Performance Tables	5,000
Books for Schools	194,081
New Deal for Schools	
New Deal for Schools	496,250
Total	2,992,231

Grants made available in 1998–99 to Northumberland County Council

£

Grant Title	*Allocation*
Standards Fund	
School Effectiveness	1,209,921
School Leadership: NPQH	76,918
School Leadership: Serving Heads	25,639
Induction for Newly-Qualified Teachers	42,158
Early Years Training and Development	47,250
Reduction of Infant Class Sizes	324,000
Capital Work to reduce class sizes	224,000
Baseline Assessment	71,674
Assessment: Verification KS1	27,648
Assessment: Supply Cover	79,989
Training for KS2 Teacher Assessment	48,010
Effective use of National Curriculum Results	52,334
National Literacy Strategy—Primary	295,894
Summer Literacy Schools	17,000
Family Literacy	13,960
Special Educational Needs	93,621
Qualifications: GNVQ, AS/A Level, Key Skills etc.	145,950
Qualifications: Part One GNVQ Pilot	12,000
Work Related Learning at KS4	50,000
Improving Attendance	43,100
Drug Prevention	42,939
Youth Service	12,961
School Security	168,630
Specialist Schools	325,100
Specialist Teacher Assistants	3,100
Travel to Study Support Centres	1,880
National Grid for Learning	489,288
Early Excellence Centres (Revenue)	48,820
Beacon Schools	64,000
Advanced Skills Teachers	60,000
Books for Schools	193,472
Children's Parliament	100
Year 6 Literacy & Numeracy Booster Classes	68,901
Numeracy Consultants & Leading Maths Teachers	3,300
Removal of Outside Toilets	237,455
Energy Management	102,500
Portable CD-ROM Systems for Special Education Needs Coordinators	24,000
New Deal for Schools	
New Deal for Schools	1,881,600
Early Excellence Centres (Capital)	34,700
Total	6,663,813

Competitive Bidding

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) how many of his Department's initiatives relating to schools announced to date for (i) 1998–99 and (ii) 1999–2000 include opportunities for competitive bidding by *(a)* education action zone, *(b)* the Funding Agency for Schools and *(c)* others, excluding local education authorities; [63536]

(2) how many of his Department's initiatives relating to schools announced for the year 1997–98 included opportunities for competitive bidding by *(a)* education action zones, *(b)* the Funding Agency for Schools and *(c)* others, excluding local education authorities. [63657]

Ms Estelle Morris *[holding answer 14 December 1998]:* In 1998–99 education action zones were able to bid for funding for work related learning and the special early years programme. From 1999–2000 these programmes will be incorporated within the education action zones budget and bid for as a separate competitive exercise. Education action zones did not come into existence until after the 1997–98 bidding round.

Since 1997–98 the Funding Agency for Schools has been able to bid for phases 1 and 2 of the Early Excellence Centre pilot programme.

Information on the number of competitive bids open to other bodies is not held centrally.

Mr. Don Foster: To ask the Secretary of State for Education and Employment of the initiatives in 1998–99 involving competitive bidding from local education authorities, including education action zones, and the equivalent initiatives from 1999–2000, how many bids by each of the education action zones were *(a)* made and *(b)* successful. [63311]

Ms Estelle Morris: There have been no programmes in which Education Action Forums (EAFs) have competed with local education authorities. Unlike LEAs, EAFs do not bid for Standards Fund grant, or for New Deal for Schools capital. Of course, schools within EAZs can still benefit from these programmes through LEA bids. EAZs have been able to bid for work-related learning and Early Years in a separate exercise funded from the EAZ programme budget. In future years these activities will be funded from EAZs' own budgets.

Working Time Directive (Playgroups)

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment what discussions he has had with playgroup associations on the Working Time Directive; what help he intends to provide for such groups in obeying the directive; and if he will make a statement. [69504]

Mr. Ian McCartney *[holding answer 8 February 1999]:* I have been asked to reply.

Ministers at the DTI have not had discussions with playgroup associations about the Working Time Directive, although Ministers have received a number of letters from playgroups. DTI published guidance for all employers and workers on the Working Time Regulations in August 1998.

SCOTLAND

Crime Prevention

Mr. Sarwar: To ask the Secretary of State for Scotland what action the Government are taking to improve the *(a)* co-ordination and *(b)* promotion of crime prevention initiatives. [69403]

Mr. McLeish: The Scottish Office Crime Prevention Unit has responsibility for co-ordinating crime prevention in Scotland. This is done in collaboration with Scottish police forces, the Convention of Scottish Local Authorities and a wide range of national agencies.

On 16 June 1998, I announced to the Scottish Grand Committee a new community safety strategy for Scotland—"Safer Communities Through Partnership—A Strategy for Action". The Strategy for Action, which was jointly agreed by The Scottish Office, the Convention of Scottish Local Authorities and the Association of Chief Police Officers in Scotland, is designed to reduce crime and improve community safety through well co-ordinated partnerships between public, private and voluntary bodies.

I welcome the fact that a number of partnerships have already been formed. To support this, The Scottish Office will publish, in May, comprehensive guidance to assist in the development of such partnerships. It will include examples of current good practice.

The Scottish Office constantly promotes crime prevention initiatives. The latest example is a renewed campaign against domestic violence.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Police

Sir Robert Smith: To ask the Secretary of State for Scotland what guidance his Department has issued concerning arrangements for consultation between the police and the local community in each police force area; and if he will make a statement. [69626]

Mr. McLeish: The Justice Charter for Scotland requires police forces to consult their local communities and take their views into account when setting standards of service and deciding priorities. In addition, guidance was issued to police forces in March 1998 about the way in which "User Surveys" should be designed to measure public opinion on the police service. I am satisfied that police forces in Scotland fully appreciate the value of local consultation; have the necessary arrangements in place to engage with the public; and use the consultation process to inform their decisions on policing policy and priorities.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Class Sizes

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the annual cost of reducing class sizes to 30 or under for pupils in primary years *(a)* four, *(b)* five, *(c)* six and *(d)* seven; and if he will make a statement. [69415]

Mrs. Liddell *[holding answer 8 February 1999]*: The table provides an estimate of the additional marginal annual primary teaching costs of reducing classes in primary schools by stage.

Education authority primary schools in Scotland
Marginal annual recurrent teaching costs associated with reducing the maximum single stage class size to 30 by each additional stage, September 1997

Additional Stage[1]	*Marginal Costs (£ million)*
P4	2.9
P5	3.7
P6	3.2
P7	3.8

[1] Based on the number of pupils in each school, as recorded in the September 1997 School Census.

These figures show the cost of employing an additional teacher for each new class likely to be created because of a reduction in the class size maximum. In each case, the figure assumes that all earlier stages have been reduced to a maximum of 30 pupils and that current general arrangements in place with respect to composite classes continue. These figures do not include an assessment of the additional capital costs of providing new classrooms.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Specialist Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland what account he has taken of the conclusions of the Sutherland report on the funding of smaller and specialist colleges in England when deciding on the funding allocation to (i) Edinburgh College of Art, (ii) Glasgow School of Art and (iii) the Royal Scottish Academy of Music and Drama. [69740]

Mrs. Liddell: Allocation of funding to individual Higher Education Institutions including the Edinburgh College of Art, Glasgow School of Art and the Royal Academy of Music and Drama is a matter for the Scottish Higher Education Funding Council. The Council was aware of the findings of the Sutherland Report in making decisions on funding. However, as the report related to small institutions in England, and the SHEFC unit of resource for Arts, Design & the Performing Arts is substantially higher than that for Drama, Music and Art in England, the Council decided it would not be appropriate to award a funding premium.

As from 1 July 1999 this will be a matter for the Scottish Parliament.

Modern Studies

Mr. Gorrie: To ask the Secretary of State for Scotland how many Scottish secondary schools do not offer modern studies as a subject. [69734]

Mrs. Liddell: The information available is based on the actual take-up of modern studies in schools rather than the number of schools that offer modern studies. Information on the latter is not held centrally. The table shows the estimated number and proportion of publicly funded secondary schools in which modern studies was not taught in September 1997. From 1 July 1999 this will be a matter for the Scottish Parliament.

	Total number of schools	*Proportion*[1] *of schools in which modern studies was not taught (%)*	*Estimated*[1] *number of schools in which modern studies was not taught*
S1	400	39	155
S2	400	33	130
S3	390	29	113
S4	390	26	100
S5/S6	380	17	63

[1] Based on response rates of 82 per cent. for S1 to S4 and 49 per cent. for S5/S6

Primary Schools (Consultants)

Mr. Gorrie: To ask the Secretary of State for Scotland what proposals he has to phase out visiting specialist teachers in primary schools and replace them with consultants. [69735]

Mrs. Liddell: We have no such proposals. The deployment of teachers in primary schools is a matter for education authorities.

As from 1 July this will be a matter for the Scottish Parliament.

Fiscal Fines

Mr. Worthington: To ask the Secretary of State for Scotland what guidelines are given to procurators fiscal about the use of fiscal fines. [70187]

Mr. McLeish: My noble and learned Friend the Lord Advocate, who is responsible for the prosecution of crime in Scotland, informs me that guidelines have been issued to procurators fiscal to ensure a consistent approach to the use of fiscal fines and to encourage them to make more extensive use of this alternative to prosecution in the district court. The details of those guidelines form part of prosecution policy and are confidential.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Worthington: To ask the Secretary of State for Scotland what change in the guidance about which cases should go to the Sheriff Court and which to the district court has been issued in the last five years. [70188]

Mr. McLeish: My noble and learned Friend the Lord Advocate is responsible for the prosecution of crime in Scotland. Guidance to procurators fiscal has been issued following legislative provisions which have introduced variable and increased levels of fiscal fines; extended the jurisdiction and powers of the courts; and created new offences and penalties. Further guidance has been issued to procurators fiscal to ensure a consistent approach to the use of fiscal fines and to encourage them to make more extensive use of this alternative to prosecution in the district court. He informs me that the choice of court is determined by considerations of jurisdiction, the gravity of the offence, the offender's record and the likely penalty. The details of the guidance issued to procurators fiscal about prosecution policy are confidential.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Worthington: To ask the Secretary of State for Scotland what is the overall number of fiscal fines in each of the sheriffdoms in Scotland in each of the years since they were introduced. [70186]

Mr. McLeish: The number of criminal reports concluded by way of a fiscal fine in each of the sheriffdoms in Scotland are as follows:

Year	*Grampian, Highland and Islands*	*Tayside, Central and Fife*	*Lothian and Borders*	*North Strathclyde*	*South Strathclyde, Dumfries and Galloway*	*Glasgow and Strathkelvin*
1988	2,393	1,210	860	1,984	1,809	1,048
1989	2,359	2,363	1,912	3,450	3,509	1,963
1990–91	2,091	3,898	1,875	3,614	3,163	2,188
1991–92	1,908	3,048	2,191	2,955	2,918	2,038
1992–93	2,221	4,101	1,714	3,142	3,242	3,934
1993–94	1,785	3,098	1,859	2,437	3,123	3,278
1994–95	1,946	3,370	1,442	2,003	3,517	3,768
1995–96	1,863	2,367	1,538	1,570	2,862	5,854
1996–97	2,330	2,565	1,253	1,839	3,589	3,562
1997–98	2,136	3,003	1,582	2,651	4,088	5,501
1998–99	2,280	2,172	1,104	2,032	2,938	3,580

Notes:

1. The figures for 1988 and 1989 are for calendar years.
2. The figures for the first quarter of 1990 are not included.
3. Prior to April 1996 inconsistencies in the method of recording statistics for fiscal fines existed.
4. The figures for the financial year 1998–99 relate to the period to December 1998.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Eye and Dental Check-ups (Charges)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the annual cost of abolishing charges for *(a)* eye and *(b)* dental check-ups in Scotland; and if he will make a statement. [70352]

Mr. Galbraith: NHS sight test are available free of charge to eligible patients. It is estimated that the re-introduction of universally free NHS sight tests in Scotland would cost a minimum of £14 million annually. Free NHS sight tests for people aged 60 and over will be introduced from April

At present, patients who are not eligible for free NHS dental services or for help with the costs of these pay 80 per cent. of the examination or treatment fee directly to the dentist. It is estimated that the re-introduction of universally free NHS dental examinations in Scotland would cost a minimum of £4.5 million

From 1 July, this will be a matter for the Scottish Parliament.

NHS Trusts (Wage Rises)

Mrs. Ewing: To ask the Secretary of State for Scotland what are, for each NHS trust in Scotland, *(a)* the amount budgeted for wage rises for the next financial year, *(b)* the percentage increase for staff not covered by pay review boards, by category and *(c)* the amount which will be required to fund the new salary levels; and what plans he has to provide additional funds to ensure trusts are able to provide salary increases and protect planned projects. [70349]

Mr. Galbraith: Information on individual trusts' pay assumptions is not held centrally. No specific sum has been provided for wage rises in the NHS in Scotland for the next financial year. However, the uplift of 4.25 per cent. in general allocations made available to health boards in 1999–2000 is sufficient to meet the costs of providing health care including pay. The cost of meeting the Review Bodies' recommendations is estimated to be £89 million. No additional funds have been made available for pay. However, an additional tranche of modernisation funding amounting to £20 million has been made available. The NHS in Scotland has been fully funded to meet the costs of the pay awards and to continue with the modernisation agenda. From 1 July 1999 this will be a matter for the Scottish Parliament.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will estimate his Department's expenditure on overseas travel for *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–01 and *(e)* 2001–02. [69252]

Mr. Dewar *[holding answer 4 February 1999]:* Information on overseas travel in The Scottish Office is not held separately and cannot be disaggregated from total expenditure on travel without disproportionate costs in staff time. Overseas travel for future years is not estimated separately.

From 1 July 1999 this will be a matter for the Scottish Parliament.

INTERNATIONAL DEVELOPMENT

Tacis (Unpaid Invoices)

Sir Sydney Chapman: To ask the Secretary of State for International Development what representations she has received about problems caused to United Kingdom companies by unpaid invoices to the EU for work undertaken as part of the Tacis Programmes; and what initiatives she is taking to resolve these problems. [70094]

Mr. Foulkes: Late payment of Tacis invoices is a serious problem for UK companies, which the Government are working to help solve.

My department maintains a regular dialogue with the British Consultants Bureau (BCB) on this subject. I met BCB representatives at the end of last year. The Chief Executive of the Association of Consulting Engineers wrote to me about the issue two weeks ago. Individual companies have also contacted my department, the DTI and the FCO.

Ministers and senior officials raised the issue with the European Commission on numerous occasions in the latter part of last year. We have received some indications that the overall situation has since started to improve. This is a Commission management issue, and immediate improvements in efficiency should be possible. In the longer term the Government are supporting the Commission's plan to bring forward a harmonised contracting regulation simplifying procedures for all external aid programmes, and pressing for reform to the EC Financial Regulation, which sets out procedures for the payment of invoices which are unduly onerous in some cases. We will continue to monitor this situation closely.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for International Development if she will publish her Department's collation and assessment of responses to each of the Government's public consultations. [69766]

Clare Short: My Department held for the first time last year a series of Development Policy Forums, with wide participation from outside groups across the UK. We are about to publish a report on the process as we promised. This will include consolidated comments and recommendations from participants and a Departmental response.

We have also consulted widely in preparing all our Country and other Strategy Papers, which set out how we aim to contribute to achieving the International Development Targets through our work with partnership countries and international institutions. All these papers have been or are being published—18 have been published to date—and include a record of the individual consultation processes. Country strategy papers have not previously been published by the predecessor department.

Additionally, we have undertaken a review of our relationship with Civil Society, involving discussion with a broad range of groups in the UK and overseas. A copy of the report of the process is about to be sent to all who contributed as well as being made available more widely.

TB

Mr. Andy King: To ask the Secretary of State for International Development what aid her Department currently gives to help developing countries combat TB. [70169]

Clare Short: TB accounts for a significant proportion of the global burden of disease, particularly amongst the poorest. Its control is a crucial component of the Department for International Development's (DFID) health strategy. Over the last two years, DFID has programmed nearly £26 million directly for TB work. This has been primarily at country level to establish well functioning Directly Observed Treatment Shortcourse (DOTS) programmes and to develop the contribution of the private and voluntary sectors to TB prevention and treatment. Priority countries include India (where a commitment of £20.5 million was made in 1998), Malawi, Russia, Nepal and Uganda. DFID has contributed £1 million to the World Health Organisation Global TB programme, and funded approximately £1.5 million of UK research.

Western Sahara

Audrey Wise: To ask the Secretary of State for International Development how much aid is given by the European Union to Western Sahara; and what is the cost to the United Kingdom's European Union budget contribution. [69900]

Clare Short: The European Union plans to spend 10 million euro from July to December 1999 on humanitarian aid to Saharawi refugees. The exact UK share of EU spending is determined retrospectively but the estimated forecast UK share will be approximately 1.97 million euro, or £1.46 million.

Morocco

Audrey Wise: To ask the Secretary of State for International Development what is her estimate of the cost to the United Kingdom's European Union budget contribution of European Union aid given to Morocco in the last year. [69899]

Clare Short: In 1997, the latest year for which figures are available, the cost was £18.37 million.

PRIME MINISTER

Operation Desert Fox

Q13. **Mr. Dalyell:** To ask the Prime Minister pursuant to the letter from his private secretary of 20 January, to the Religious Society of Friends in Britain, what discussions he has held with the UN on the impact of military action under Operation Desert Fox on the humanitarian situation. [68684]

The Prime Minister: As my Private Secretary said in his letter of 20 January, the UN, in a briefing to the Secretary Council on 14 January, confirmed that the impact of Operation Desert Fox on the humanitarian situation was limited.

On 30 January the Security Council agreed to the establishment of 3 Panels to discuss Iraq issues. One of these will address the humanitarian situation in Iraq. We hope that the Government of Iraq co-operates with the UN's humanitarian work.

Engagements

Mr. Breed: To ask the Prime Minister if he will list his official engagements for Wednesday 10 February. [68689]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

Commissioner for Public Appointments

Mr. Fabian Hamilton: To ask the Prime Minister what progress has been made in the appointment of a new Commissioner for Public Appointments. [70769]

The Prime Minister: Her Majesty in Council has today approved the appointment of Dame Rennie Fritchie as Sir Len Peach's successor as Commissioner for Public Appointments. Dame Rennie, who will also be appointed as a Civil Service Commissioner, will take up office from 1 March 1999.

Sir Len Peach will continue to serve as Commissioner for Public Appointments for Northern Ireland. I am sure that all Members of the House would wish me to express their appreciation for the manner in which Sir Len has carried out his responsibilities over the past three years. He has made a major contribution to raising standards in public appointments.

Ministerial Flights

Mr. Gibb: To ask the Prime Minister if he will list the flights taken by *(a)* himself and *(b)* other ministers on Concorde since 2 May 1997. [67984]

The Prime Minister *[holding answer 1 February 1999]:* The Ministerial Code requires Ministers to make efficient and cost-effective travel arrangements.

In line with this guidance and the practice of the previous Administration, I and 8 of my Ministers have taken scheduled Concorde flights on a total of 14 occasions. This compares with 11 Ministers on a total of 13 occasions during the last two years of the previous Administration.

In addition, as accounted for in answers to the hon. Member for Arundel and South Downs (Mr. Flight) on 14 July 1997, *Official Report,* column *46,* and the hon. Member for Lichfield (Mr. Fabricant) on 13 March 1998, *Official Report,* columns *366–67,* I have also chartered Concorde, as did my predecessor.

Ministerial Visits

Mr. Illsley: To ask the Prime Minister if he will list Government expenditure on ministerial overseas visits at current prices *(a)* for the financial years (i) 1993–94, (ii) 1994–95, (iii) 1995–96 and (iv) 1996–97 and *(b)* over the period (1) 1 May 1997 to 31 March 1998 and (2) from 1 April 1998 to date. [70189]

The Prime Minister: Expenditure on Ministerial overseas visits for the periods requested is estimated as follows:

Year	*£ million*
1993–94	6.5
1994–95	6.6
1995–96	6.9
1996–97	7.8
1 May 1997–31 March 1998	6.1
1 April–31 December 1998	4.0

The figures for 1993–94, 1994–95 and 1995–96 do not include some expenditure falling to the Scottish Office, the Ministry of Defence and the Welsh Office where the information is not available. Full costs are available from 1996–97 onwards. All figures are in 1997–98 prices. The figure for the period 1 April to 31 December 1998 reflects payments made so far for travel undertaken in this period.

Ministerial Responsibilities

Mr. Keith Simpson: To ask the Prime Minister if he will make a statement on the division of responsibilities between *(a)* the Minister for the Cabinet Office and *(b)* the Secretary to the Cabinet. [69492]

The Prime Minister *[holding answer 8 February 1999]:* My right hon. Friend the Minister for the Cabinet Office assists me and Ministerial colleagues in the implementation and co-ordination of Government policy and its effective presentation. He is responsible for co-ordinating the Government's policies against drug misuse; for discharging, on a day-to-day basis, my responsibilities as Minister for the Civil Service, and for delivering the Modernising Government agenda. He oversees the work of the five Cabinet Office Agencies and the Central Office of Information. As Chancellor of the Duchy of Lancaster, he is responsible to Her Majesty the Queen for the general administration of the Duchy.

As under previous Governments, the Secretary of the Cabinet is principal official adviser to the Prime Minister, and supervises official support for the collective decision-making process. He is also Head of the Home Civil Service.

Former Soviet Union (Nuclear Reactors)

Mr. Flynn: To ask the Prime Minister what assistance the Government are giving to former Soviet Union countries to ensure that their nuclear reactors are millennium compliant. [69789]

The Prime Minister *[holding answer 9 February 1999]:* Last year, the Department of Trade and Industry commissioned a report specifically with a view to helping Central and Eastern European and former Soviet Union countries achieve millennium compliance in their civil nuclear power reactors. That report, entitled *The Millennium Problem—Raising the Awareness of Nuclear Power Station Operators and Regulatory Authorities in Central and Eastern Europe,* was translated into Russian and distributed to every nuclear plant and regulatory authority in the region. In addition the DTI has, so far, offered £62,000 towards the International Atomic Energy Agency's extra budgetary activities this year specifically pursuing the international effort to assist the countries concerned in their efforts to avoid Year 2000 problems and to carry out contingency planning.

AGRICULTURE, FISHERIES AND FOOD

Risk Material Controls

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what plans he has to pass on the costs of specified risk material controls to producers. [68737]

Mr. Rooker: I refer my hon. Friend to the reply given to my hon. Friend the Member for Waveney (Mr. Blizzard) on 14 January 1999, *Official Report,* column *291.* The charges would be levied at slaughterhouses and cutting plants. The extent to which these costs are passed on to primary producers is a commercial matter for the industry. The industry already bears the cost of removal and disposal of Specified Risk Material. We see no reason why the tax payer should bear the cost of enforcing these activities.

Genetically Modified Crops

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what research the Government have commissioned into genetically modified grasses to be used for animal grazing; when the research will be completed; and if the results will be made public. [68772]

Mr. Rooker: The Ministry has not commissioned any research into the production of genetically modified grasses to be used for grazing. However, the Ministry has commissioned a desk study to assess the possible implications for agriculture should genetically modified grasses and legumes be introduced. The work is due to be completed in July 1999 and we would hope to make the final report available soon afterwards.

Food Standards Agency

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what plans he has for a levy to fund the Food Standards Agency from chain stores or stores over 10,000 sq ft. [69150]

Mr. Rooker: The proposals that we published for consultation on 27 January envisage a levy that would apply to all food retail and catering premises required to register under the Food Premises (Registration) Regulations 1991 (as amended), with the exception of premises dealing in wrapped confectionery, soft drinks, crisps and similar wrapped products. While chain stores and stores over 10,000 sq ft. that fall within this definition would be liable for payment, the proposals do not contain any specific provisions relating to these types of premises.

FEOGA

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the UK contribution in the current financial year to the FEOGA budget. [69323]

Mr. Rooker: The UK contributes to the EU budget as a whole and not to one particular part. For the 1999 EU Budget, the UK's gross financing share before abatement is 18.15 per cent. FEOGA accounts for around 47 per cent. of the 1999 EC Budget. Of the FEOGA budget, just over 2 per cent. is spent on tobacco regime.

Green Top Milk

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement on the basis for calculating the price to be charged to bed and breakfast outlets for testing green top milk; [70262]

(2) what representations he has received on the impact of the cost of testing green top milk on small bed and breakfast outlets. [70263]

Mr. Rooker: The objective is to recover the full cost of carrying out this statutory microbiological sample testing work. The charges are expected to cover the costs of obtaining representative samples, laboratory analysis, IT and administration including invoicing and any debt recovery.

I have not received any representations about the impact of charging on bed and breakfast outlets.

Farmers (Bankruptcy)

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what percentage of farmers have become bankrupt in each of the past five years. [69309]

Mr. Rooker: The table sets out the number of bankruptcies in the agricultural and horticultural sectors in England and Wales between 1993 and 1998. During this period the total number of farmers, partners and directors in England and Wales has been in excess of 200,000. In each of these years therefore bankruptcies represented less than ½ per cent. of this total.

Number of bankruptcies in the agricultural and horticultural sectors: England and Wales 1993–98

Year	*Bankruptcies of self-employed individuals*	*Company Insolvencies*	*Total*
1993	277	157	434
1994	231	166	397
1995	218	99	317
1996	168	89	257
1997	155	51	206
1997[2] (January to June)	88	23	111
1998 (January to June)	71	30	101

Including partnerships

Last 6 months figures unavailable for 1998. For comparison purposes half yearly figures for 1997 have also been provided

Source:

Department of Trade and Industry

Honeybees

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food if he will ban the import of honeybees of the Italian sub-species, apis mellifera ligustica. [69488]

Mr. Rooker *[holding answer 8 February 1999]*: No. Apis mellifera ligustica is one of the most successful and commonly used honey bee strains in the commercial honey producing world. Since 1955, and probably earlier, thousands of consignments of ligustica have been imported by beekeepers into the UK each year.

Abattoirs

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the impact on small abattoirs of the increased charges for specified risk material audit; and if he will make a statement. [70260]

Mr. Rooker: A number of representations have been received in response to the consultation document which was issued on 14 January. Final decisions on the proposed arrangements for recovering from industry the cost of enforcement by the Meat Hygiene Service of the controls on specified risk material will be taken once the consultation period ends on 12 February.

Copies of all the responses received will be available for public scrutiny in the main MAFF Library in Whitehall Place in due course, as is our normal practice.

Quarantine

Mr. David Atkinson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the recent public consultation on quarantine reform; what changes he proposes; and when they will be introduced. [69373]

Mr. Rooker: We are considering the results of the public consultation on the recommendations made by the Kennedy Group. There has been a large number of replies (more than 3,700).

Meat Hygiene Service

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food by how much the cost of meat inspection was increased in each 12 month period since the Meat Hygiene Service became operational; and what estimate he has made of cost to the industry for 1999. [68127]

Mr. Rooker: The total cost of the Meat Hygiene Service to the industry since the launch of the Agency in April 1995 has been:

Year	*Cost (£ million)*	*Percentage increase/decrease*
1995–96	28.9	—
1996–97	26.0	11% decrease
1997–98	29.8	15% increase
1998–99	33.1	11% increase

[1] The total cost of the MHS in 1995–96 was £31.4 million. However, £2.5 million concerned transitional relief funded by government for the set up of the new Agency.

[2] Latest forecast

From 1995–96 certain MHS enforcement costs, such as those for Specified Risk Material controls, were met by Government.

The MHS budget for 1999–2000 is currently being prepared. Figures for 1999–2000 are therefore not yet available. However, after careful consideration, my right hon. Friend the Minister announced on 14 January 1999, *Official Report*, column *291*, that the Government can no longer defer the introduction of charges to industry to cover the costs of SRM controls. It is proposed that these costs should be transferred from the taxpayer to industry from 29 March 1999. A consultation package on this proposal was issued on 14 January.

Mink Farming

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food during what hours Ministry officials were in attendance for the transport of mink on 22 December 1998 from Ponteland to Devon; and what charges were levied for their attendance. [68145]

Mr. Morley: Officials attended the mink at Ponteland on 21 December from 9.45 am to 11.00 am and from 12.30 pm up till their departure at 1.45 pm the same day. Officials also met the mink on arrival at the premises of destination at 11.55 pm, inspecting them for about 45 minutes. A further inspection was carried out at 1 pm the following afternoon (22 December). The work is not chargeable. Under the arrangements for licensing mink farms, the premises of destination are regarded as being in Cornwall.

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food how long the mink transported on 22 December 1998 from the mink factory farm at Ponteland remained in the lorry which transported them. [68144]

Mr. Morley: The journey was on 21 December. The time from loading the first mink at Ponteland to unloading the last animal at the premises of destination was 19 hours. The animals had access to water in each compartment and food was also carried in case of delay.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what resources have been allocated by Her Majesty's Government to opposition groups in Iraq. [68818]

Mr. Fatchett: We have given humanitarian assistance to Kurdish groups in northern Iraq and Shia groups in southern Iraq.

Indonesia

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs how many licences for the export of armaments to Indonesia have been agreed for each of the last five years. [68638]

Dr. Howells *[holding answer 3 February 1999]:* I have been asked to reply.

I refer my hon. Friend to the answer given to my hon. Friend the Member for Nottingham, South (Mr. Simpson) on 9 February 1999, *Official Report*, column *202*.

Cossacks (Repatriation)

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on public access to Public Record Office files relating to repatriation of Cossacks at the end of the Second World War. [69710]

Ms Quin: All FCO files more than 30 years old relating to repatriation of Cossacks are available for access at the Public Record Office.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69778]

Mr. Fatchett: The FCO does not as a matter of course collate and assess responses to the Government's public consultations. To do so in order to reply to this question would involve disproportionate costs.

Burma

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government have to raise concerns about the situation of *(a)* the Karen and *(b)* other ethnic groups in Burma at the forthcoming session of the UN Human Rights Commission. [69809]

Mr. Fatchett: The UK, with EU Partners, will work for a tough resolution on Burma at the forthcoming session of the UN Commission on Human Rights, to highlight the abuse of ethnic minorities, including the Karen and press the military regime to stop violating human rights.

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what action his Department is taking to encourage the Association of South East Asian nations to expel Burma from its membership. [69810]

Mr. Fatchett: ASEAN members are fully aware of our deep concern about the appalling human rights and political situation in Burma. We encourage them to use their influence on Burma.

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he is taking to encourage the Thai Government *(a)* to permit the entry of refugees from Burma and *(b)* not to repatriate such refugees forcibly. [69808]

Mr. Fatchett: Our Embassy in Bangkok is in close touch with the Thai authorities, who are aware of our concerns about Burmese refugees on the Thai-Burma border. We welcome the agreement reached with the UN High Commissioner for Refugees which includes arrangements for admissions into refugee camps. The Thai authorities assure us that no refugees have been forcibly repatriated.

Customs and Excise Searches

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times his Department's premises have been searched by HM Customs and Excise officers in connection with their investigations in the last five years. [69814]

Mr. Fatchett: HM Customs and Excise have never used their statutory powers to search FCO premises. There have been occasions during the course of HMCE investigations when they have examined FCO documents with the consent of the Department. But no central record of such examinations has been maintained either by HMCE or the FCO.

Arms Embargoes

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 January 1999, *Official Report*, columns *214–15*, on arms embargoes, when each of *(a)* the listed UN resolutions and *(b)* the implementing Orders in Council were first circulated to the relevant British ambassadors. [69815]

Mr. Tony Lloyd: The UK Mission in New York transmits the texts of United Nations Resolutions on adoption to the Foreign and Commonwealth Office and relevant overseas posts.

As stated in my reply of 26 January, it was not normal practice prior to July 1998 to circulate details of the Orders in Council to the relevant High Commissions or Embassies.

Western Sahara

Audrey Wise: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions he has taken in pursuance of the implementation of the United Nation resolution relating to Morocco's annexation of Western Sahara, with particular reference to the provision for a referendum of the Saharawi people. [69897]

Mr. Fatchett: We fully support the United Nations' policy of holding a free and fair referendum in the Western Sahara. We are working to this end with our EU partners, within the Security Council and at the Friends of the Western Sahara Group in the UN. We urge the co-operation of all the parties involved with the UN Secretary-General's present initiative. We also regularly raise the Western Sahara in bilateral meetings, emphasising the need for achieving a just and lasting solution.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards, and if in each case this is under a statutory requirement; [69972]

(2) which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner; [69907]

(3) which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement; [69983]

(4) which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement; [69834]

(5) which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69948]

Mr. Fatchett: The answer for advisory non-departmental public bodies sponsored by the FCO is shown in the tables.

Executive NDPBs

	Advisory NDPBs *Diplomatic Service Appeals Board*	*Government Hospitality Fund*	*Wilton Park Academic Council*
(a) Admit members of the public to all Board or Committee meetings?	no	no	no
(b) Hold public meetings?	no	no	no
(c) Have lay or consumer representatives on their Boards?	no	yes	yes
(d) Under Statutory requirement?	n/a	n/a	n/a

	Advisory NDPBs *Diplomatic Service Appeals Board*	*Government Hospitality Fund*	*Wilton Park Academic Council*
Publish:			
(a) Minutes of meetings?	yes	no	no
(b) Agendas for meetings and documents for these meetings?	yes	no	no
(c) A register of members interests?	yes	yes	no
(d) Under statutory requirements?	n/a	n/a	n/a

	British Council	*Britain Russia Centre*	*British Association for Central and Eastern Europe*	*Commonwealth Institute*	*GB China Centre*	*Marshall Aid Commemoration Commission*	*Westminster Foundation for Democracy*
(a) Admit members of the public to all Board or Committee meetings?	no	no	no	no	no	no	no
(b) Hold public meetings?	no	no	no	no	yes	no	no
(c) Have lay or consumer representatives on their Boards?	yes	no	yes	yes	yes	yes	yes
(d) Operate some form of appeal or complaints procedure?	yes	no	no	no	no	no	no
(e) and if so, is this under a statutory requirement?	n/a	n/a	n/a	no	n/a	no	n/a

Only the AGM is an open meeting

Held once a month the AGM is also open to the public

	British Council	*Britain Russia Centre*	*British Association for Central and Eastern Europe*	*Commonwealth Institute*	*GB China Centre*	*Marshall Aid Commemoration Commission*	*Westminster Foundation for Democracy*
Publish:							
(a) Minutes of meetings?	no	no	no	no	no	no	no
(b) Agendas of meetings and documents for those meetings?	no	no	no	no	no	no	no
(c) A register of members interests?	no	no	no	no	yes	no	no
(d) Is it a statutory requirement?	n/a	n/a	n/a	no	n/a	no	n/a

Available for public reference in the Commonwealth Resource Centre

	British Council	*Britain Russia Centre*	*British Association for Central and Eastern Europe*	*Commonwealth Institute*	*GB China Centre*	*Marshall Aid Commemoration Commission*	*Westminster Foundation for Democracy*
(a) Which of the executive NDPBs have a statutory base?	no	no	no	yes	no	yes	no
(b) Which are subject to investigation by the Parliamentary Commissioner?	yes	yes	no	no[1]	no[1]	no[1]	no[1]

[1] These NDPBs are due to be brought within the Parliamentary Ombudsmans jurisdiction by means of an Order in Council to be laid in February 1999

Venezuela

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding Mr. Miles and Mr. Loseby, who are imprisoned in Venezuela, in the last three months. [70001]

Mr. Fatchett: My noble Friend the Under-Secretary of State, Baroness Symons, received a letter from my hon. Friend in December 1998 about his constituent James Miles. My noble Friend replied on 5 January 1999.

Officials in the Consular Division of the FCO are in regular contact by telephone and letter with James Miles' and Paul Losebys' parents.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when *(a)* the British Ambassador to Venezuela and *(b)* a representative from the British Embassy last visited Mr. Miles and Mr. Loseby. [70002]

Mr. Fatchett: The British Ambassador to Venezuela has not visited James Miles and Paul Loseby. UK based Consular staff visit James Miles and Paul Loseby at least every quarter and last did so on 2 February, when James Miles declined to see the UK-based member of staff. Other consular staff visit more frequently and have seen both on numerous occasions.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment has been made of *(a)* the conditions in which Mr. Miles and Mr. Loseby are being held and *(b)* their medical and dental situation. [70003]

Mr. Fatchett: Consular staff at our posts overseas monitor prison conditions to satisfy themselves that British prisoners are not discriminated against, that their basic human rights are met, and that illnesses are treated.

Consular staff have interceded with the Venezuelan authorities whenever James Miles or Paul Loseby have requested medical or dental treatment.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings representatives of the British Embassy in Caracas have had with Venezuelan Government officials in respect of Mr. Miles and Mr. Loseby. [70004]

Mr. Fatchett: Consular staff at the British Embassy in Caracas meet regularly with Venezuelan officials at the Ministry of Foreign Affairs and the Department of Prisons to discuss consular aspects of their imprisonment. The most recent meeting was on 3 February 1999 between the Vice Consul and an official from the Prisons Directorate at the Ministry of Justice.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of the inauguration of the new Venezuelan President on the case of Mr. Miles and Mr. Loseby. [70005]

Mr. Fatchett: The new President of Venezuela was inaugurated on 2 February. It is too early to say what, if any, policies might be introduced which will affect foreign prisoners.

Maldives

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on allegations that the Government of the Maldives imprisoned seven Christians because of their beliefs. [70213]

Mr. Fatchett: We attach importance to the right to freedom of religion and expression. We were therefore concerned to learn about the deportation from the Maldives in July 1998 of nineteen foreign nationals for alleged proselytising activity and the detention of several Maldivian citizens who had apparently converted to Christianity. We understand that all those detained have now been released. We will continue to monitor the situation closely.

General Pinochet

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs at what levels the four reports despatched to his Department by the British Embassy in Madrid, relating to the investigations by Judge Garzon, were read, and when; which desks these reports were forwarded to for information within his Department and to where outside his Department; and what action was taken as a result. [70284]

Mr. Tony Lloyd *[holding answer 9 February 1999]:* The reports of 12 November 1997 and 23 January 1998 were read at desk level in the Department; the former was sent to our Embassy in Santiago; the latter to our Embassies in Santiago and Buenos Aires. The reports of 15 and 16 October were read at senior official level in the FCO, passed to the Home Office on 16 October, and drawn on in briefing the Foreign Secretary on 16 October before Senator Pinochet was detained.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the nature of the informal indication to the British Embassy in Santiago in early September 1998 that Augusto Pinochet was to visit the United Kingdom; what reports were sent to his Department as a consequence; what reference was made in internal communications to potential legal and diplomatic difficulties that might ensue; and if such reports were brought to his attention. [70285]

Mr. Tony Lloyd *[holding answer 9 February 1999]:* I refer the hon. Member to the answer I gave the hon. Member for Ruislip Northwood (Mr. Wilkinson) on 29 October 1998, *Official Report*, columns *273–74*, and to the answer my noble Friend the Under-Secretary of State, Baroness Symons, gave to the nobel Lord Lamont of Lerwick in another place on 11 January 1999, *Official Report, House of Lords*, column *3*. The reports subsequently circulated with the FCO made no reference to potential legal and diplomatic difficulties. This was reported to me over the weekend 19/20 September.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the contents of the note faxed to his Department on 9 October 1998 by the British Embassy in Santiago relating to reports of General Pinochet's death; at what level in his Department this was read; and what action was taken in response. [70287]

Mr. Tony Lloyd: Our Embassy in Santiago telephoned the Resident Clerk late on 9 October following inquiries from the press about reports that Senator Pinochet had died that afternoon in London. The Resident Clerk obtained confirmation from the Chilean Embassy that the reports were untrue and informed our Embassy. The Embassy's subsequent note to the Department recording this exchange was received after Senator Pinochet was detained.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what (i) minutes and (ii) other documents are held by his Department relating to telephone calls made by representatives of the Chilean Embassy concerning the departure from the UK of General Pinochet prior to the issuing of the arrest warrant; what was the nature of the discussions; at what time of day those discussions took place; and if he will make a statement. [70289]

Mr. Tony Lloyd *[holding answer 9 February]*: For details of the telephone calls between the Chilean Ambassador and Foreign Office officials, I refer the hon. Member to the answers I gave to the hon. Member for Windsor (Mr. Trend) on 25 January 1999, *Official Report*, column *149*, and on 1 February 1999, *Official Report*, columns *496–97*. As I have already made clear, both conversations took place before the receipt of the request from the Spanish authorities for the provisional arrest of Senator Pinochet.

Cornish Language

Mr. Andrew George: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to co-ordinate Government policy on the future development and status of the Cornish language. [68662]

Mr. Tony Lloyd: We are discussing with colleagues in home departments the impact of the Council of Europe's Charter for Regional or Minority Languages on the Cornish language. This is, ultimately, a matter of domestic rather than foreign policy.

Written Answers to Questions

Thursday 11 February 1999

ATTORNEY-GENERAL

Criminal Justice (Terrorism and Conspiracy) Act 1998

Mr. Beith: To ask the Attorney-General on how many occasions he has given his consent for proceedings to take place under sections 5 to 7 of the Criminal Justice (Terrorism and Conspiracy) Act 1998; on how many occasions his powers under the Act have been revoked by order of the Secretary of State for the Home Department; and if he will make a statement. [70305]

The Attorney-General: I have so far received no requests for consent to prosecution as provided for by Section 4 of the Criminal Law Act 1977 as amended by Section 5(2) of the Criminal Justice (Terrorism and Conspiracy) Act 1998, or as provided for by Article 12 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 as amended by Section 6(2) of the 1998 Act. Section 7 of the 1998 Act relates to proceedings in Scotland and confers no powers on me.

The Secretary of State has so far made no order under Section 4(6) of the Criminal Law Act 1977 as added by Section 5(2) of the Criminal Justice (Terrorism and Conspiracy) Act 1998 or under Article 12(6) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 as added by Section 6(2) of the 1998 Act which would have the effect of disapplying the requirement of my consent in relation to cases of any description specified in the order.

NORTHERN IRELAND

Departmental Cash and Running Costs Limits

Dr. Godman: To ask the Secretary of State for Northern Ireland if she will make a statement on the cash and running costs limits for the Northern Ireland Office, Northern Ireland departmental services, the grants to voluntary bodies from social security, the Social Fund, certain national agricultural schemes and discretionary rent allowance payments for 1998–99. [71121]

Marjorie Mowlam: Subject to Parliamentary Approval of the necessary Supplementary Estimate, it is proposed that the cash limit for Class XV Vote 1—the Northern Ireland Office—will be increased by £62,431,000 from £926,291,000 to £988,722,000. This reflects the take-up of end year flexibility on capital of £2,740,000 and departmental running costs of £5,000,000. Additional expenditure on compensation of £27,000,000 is also reflected in the increase, as is funding for the Prison Officers' redundancy scheme of £4,000,000 costs of £8,124,000 arising from the Bloody Sunday Inquiry, £4,724,000 to cover the costs of the Referendum and elections to the Northern Ireland Assembly and £5,000,000 for Victims' Support. Other minor changes to the NIO Cash Limit total £5,843,000.

The cash limit which covers most Northern Ireland departmental services will be increased by £112,005,000 from £4,243,776 to £4,355,781,000. This increase reflects a rephasing of Student Loan Book sales of £38,500,000 and reclassification of Bus Fuel Duty Rebates of £7,209,000, the take-up of end year flexibility on capital of £14,645,500, departmental running costs of £30,000,000, European Structural Funds of £8,734,000, Health programme of £29,406,000 and Welfare to Work end year flexibility of £1,643,000. The increase also reflects additional resources of £5,389,000 for the Welfare to Work programme, £6,499,000 for DHSS Winter Pressures, £6,100,000 provided for the Chancellor's Initiative, the transfer of £38,829,000 to the Northern Ireland Office cash limit on Class XV, Vote 1 and other technical changes of £2,709,000.

The cash limit for the Grants to Voluntary Bodies—Northern Ireland Department of Health and Social Services Vote 6—has been reduced by £873,000 reflecting lower than expected demands on this fund.

The cash limit for the social fund—Northern Ireland Department of Health and Social Services Vote 6—has been reduced by £50,000 reflecting lower than expected demands on this fund.

The cash limit covering national agriculture capital grant schemes and certain assistance for production, marketing and processing and the fishing industry will increase by £8,512,000 from £16,682,000 to £25,194,000 as a result of additions to the Hill Livestock Compensatory Allowance of £8,497,000 and the take-up of entitlement to end year flexibility on capital of £15,000.

The cash limit for the discretionary rent allowance—Northern Ireland Department of Health and Social Services Vote 6—has been reduced by £634,000 reflecting lower than expected demands on this fund.

The combined gross running costs limit for the Northern Ireland Office and Northern Ireland departments will be increased by £40,799,000 from £749,283,000 to £790,082,000. This reflects the take up in 1998–99 of £35,000,000 of the end year flexibility entitlement announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *134–36*, transfers of £4,000,000 in respect of prison officer redundancies, £750,000 for increased Inland Revenue charges, £526,000 in the Bloody Sunday Inquiry, £470,000 in respect of accommodation costs and other minor transfers in totalling £53,000. Of the revised gross running costs provision, £181,391,000 is for the NIO and £608,691,000 is for Northern Ireland Departments. The gross running costs limit for the Welfare to Work programme which is outside the Northern Ireland Departmental Expenditure Limit will be increased from £6,041,000 to £8,193,000.

The increases will be offset by transfers or charged to the reserve and will not therefore add to the planned total of public expenditure.

HOUSE OF COMMONS

Short Money

Mr. Kemp: To ask the President of the Council how much Short money was awarded to Her Majesty's Opposition for the current financial year; and what steps are taken to ensure it is used for the purposes laid down by Parliament. [70356]

Mrs. Beckett: Under the formula set out in the resolution of 4 November 1993, the Official Opposition in the House of Commons are due to receive £1,112,885 in Short money in the current financial year; Cranborne money in the House of Lords amounts to £106,191 for the Official Opposition in 1998–99.

Claims are made by the parties to the Accounting Officers of each House with both a certificate that the expenses have been incurred exclusively in relation to the party's parliamentary business and a report by an independent professional auditor.

CULTURE, MEDIA AND SPORT

Millennium Dome (Charles Darwin)

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport if he will recognise the work of Charles Darwin in the Millennium Dome. [66049]

Janet Anderson: The New Millennium Experience Company (NMEC) is examining ways in which aspects of Darwin's work might be incorporated within the Millennium Experience project.

Millennium Dome (Catering)

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport how many *(a)* black and *(b)* Asian people serve on the Food Advisory Committee of the Dome. [68182]

Janet Anderson: The New Millennium Experience Company (NMEC) does not have a Food Advisory Committee. However, it has set up a consultative Catering Review Group. The membership comprises senior representatives of industry-wide bodies including British Hospitality; the Restauranters' Association of Great Britain; Hospitality Training Foundation; and Catering International Management Association. Members serve in an unpaid, advisory capacity. Their input is sought on the basis of their experience and, in case of industry bodies, their representation of all members' interest. None of those industry bodies have so far put forward a black or Asian representative.

Millennium Dome

Mr. Harvey: To ask the Secretary of State for Culture, Media and Sport what the dimensions of the Millennium dome are; when tickets for the Millennium dome will first go on sale; what event is planned to mark the first tickets going on sale; how he will recruit people to perform in the central show in the dome; how many jobs have been created by the Millennium dome project to date; and how many people will work in the dome when it opens. [66865]

Janet Anderson: The New Millennium Experience Company (NMEC) plans to release tickets for sale to the general public from early Autumn 1999. The NMEC has no plans to hold a specific event to mark the sale of the first tickets direct to the public for the Millennium Experience. However, as part of the NMEC's planned marketing strategy there will be, during the summer and autumn of this year, a wide range of information on the Millennium Experience including ticket availability and processes; public transport routes; opportunities for travel and Dome ticket packages. This will be achieved through a wide range of media including television and national press.

The NMEC announced on 18 June 1998 that it was starting a recruitment campaign throughout the UK for 100 young people to have the chance to appear in the Millennium Show in the central area of the Dome. The first phase of auditions took place in August 1998 at which 43 young performers were recruited and they are now well into their training programme. The second phase of auditions are currently underway.

A total of 5,000 people will be employed at the Dome by the NMEC and catering companies during the year-long operation of the Millennium Experience. This includes performers, technical, operating and catering staff. The first phase of recruitment for operating staff begins in Spring 1999.

As a direct result of the Millennium Experience around 2,000 construction jobs have been created and it is estimated that a further 3,000 jobs will be created in secondary markets.

Millennium Dome (Disability Awareness)

Mr. Oaten: To ask the Secretary of State for Culture, Media and Sport how many days training staff to be employed in the Millennium Dome will receive on disability awareness. [69702]

Janet Anderson *[holding answer 8 February 1999]:* The New Millennium Experience Company (NMEC) is finalising training programmes for operational staff. The current outline programmes provide for three hours training each for all staff in Disability Etiquette. This follows consultations with the company's Accessibility Advisory Group membership, details of which were published in the company's Annual Report and Financial Statements last year. Staff whose duties will focus on accessibility matters will undertaken more training; the nature and the scope of this will be appropriate to each role.

Millennium Dome (Induction Loop System)

Mr. Oaten: To ask the Secretary of State for Culture, Media and Sport if induction loop systems will be available in the Millennium Dome to assist people with hearing loss. [69703]

Janet Anderson *[holding answer 8 February 1999]:* The New Millennium Experience Company (NMEC) will provide induction loop systems in the Dome for those visitors who suffer from hearing loss.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69903]

Mr. Chris Smith: My Department sponsors 40 executive non-departmental public bodies, of which the following were set up by an Act of Parliament.

British Library
British Tourist Authority
Broadcasting Standards Commission
English Tourist Board
Football Licensing Authority
The Historic Buildings and Monuments Commission for England (English Heritage)
Millennium Commission
British Museum
Imperial War Museum
Museum of London
National Gallery
National Maritime Museum
National Museums and Galleries on Merseyside
National Museum of Science and Industry
National Portrait Gallery
Natural History Museum
Tate Gallery
Victoria and Albert Museum
Wallace Collection
National Heritage Memorial Fund
National Lottery Charities Board
New Opportunities Fund
National Endowment for Science, Technology and the Arts
Registrar of Public Lending Right
Royal Armouries.

The Parliamentary Commissioner is currently empowered to investigate the following DCMS sponsored executive NDPBs:

Arts Council of England
British Film Institute
British Library Board
Crafts Council
English Sports Council
English Tourist Board
English Heritage
Museums and Galleries Commission
National Heritage Memorial Fund/Heritage Lottery Fund
Registrar of Public Lending Right
UK Sports Council.

An Order being taken before the Privy Council this month will extend the Parliamentary Commissioner's jurisdiction to include all the executive NDPBs sponsored by my Department.

Christian Broadcasting

Jackie Ballard: To ask the Secretary of State for Culture, Media and Sport if overtly Christian companies are barred from obtaining national radio frequencies. [70345]

Janet Anderson: The Broadcasting Act 1990, disqualifies groups whose objectives are wholly or mainly of a religious nature from holding a terrestrial national radio licence issued by the Radio Authority.

World Heritage Sites

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport if he will place in the Library a copy of the Government's consultation documents for World Heritage site nominations; and if he will list *(a)* the organisations consulted and *(b)* those which responded. [68811]

Mr. Alan Howarth: Copies of the Consultation Paper were placed in the Library of the House on 21 August 1998. The information is not presently available in the form requested. I shall therefore write to the hon. Member shortly with a list of those organisations across the United Kingdom and overseas which were consulted and those which responded, and will place copies in the Library of the House. Responses will be made available for public inspection in due course.

LORD CHANCELLOR'S DEPARTMENT

Public Interest Immunity

Mr. Cohen: To ask the Minister of State, Lord Chancellor's Department what representations he has received regarding the use of public interest immunity in trials arising from the bombing of *(a)* the Israeli Embassy and *(b)* Balfour House; and if he will make a statement. [70267]

Mr. Hoon: I am not aware of any representations about the use of public interest immunity certificates in the trial which arose out of these bombings.

Mediation UK

Mr. Truswell: To ask the Minister of State, Lord Chancellor's Department what representations he has received regarding the future funding of Mediation UK; and what action he intends to take in this respect. [70203]

Mr. Hoon: The Department received correspondence from Mediation UK in April 1998 and January 1999 requesting funding as well as correspondence from various MPs and community mediation schemes. We are currently considering the role that alternative dispute resolution, including mediation, may play in the civil justice system. It would be inappropriate to take decisions on the funding of any particular mediation organisation until policy has been formulated.

Departmental Cash and Running Costs Limits

Mr. Geraint Davies: To ask the Minister of State, Lord Chancellor's Department what changes are proposed to the cash and running costs limits of the Lord Chancellor's Department votes for 1998–99. [71263]

Mr. Hoon: Subject to Parliamentary approval of the necessary Supplementary Estimates, the cash limits for Class VIII Votes 1 and 2 will reduce, and for Vote 3 will increase. The running cost limits for Class VIII Votes 1 and 3 will increase. The increases will be offset by transfers and will not therefore add to the planned total of public expenditure.

Class VIII, Vote 1, Lord Chancellor's Department

The cash limit will reduce by £665,000 from £558,861,000 to £558,196,000. The running costs limit will increase by £65,000 from £458,061,000 to £458,126,000.

The cash limit reduction relates to: £1,000,000 to the consolidated fund, non cash limited provision, to offset salaries of the higher judiciary and stipendiary magistrates; £91,000 to the Home Office as a contribution towards the costs of the IBIS unit; £350,000 from Department of Social Security in final settlement of the transfer of civil legal aid means tested assessment; £165,000 from Department of Social Security for the costs of recruiting and re-appointing panel members for the Unified Appeals Tribunals; £11,000 from Home Office for the changes in the power of the Attorney-General relating to unduly lenient sentences; £100,000 to Department of Social Security for the salary costs of ITS chairmen currently on secondment.

The running cost limit increase relates to: £91,000 to Home Office as a contribution towards the costs of the IBIS unit; £145,000 from Department of Social Security for the costs of recruiting and re-appointing panel members for the Unified Appeals Tribunal; and £11,000 from Home Office for the changes in the power of the Attorney-General relating to unduly lenient sentences.

Class VIII, Vote 2, Northern Ireland Court Service

The cash limit will reduce by £1,000,000 from £18,151,000 to £17,151,000. There is no change in the running cost limit. The cash limit reduction relates to an increase in appropriations in aid of £1,000,000.

Class VIII, Vote 3, Public Records Office

The cash limit will increase by £200,000 from £19,138,000 to £19,338,000. The running costs limit will increase by £800,000 from £24,968,000 to £25,768,000.

The cash limit increase relates to the take up of £200,000 capital provision covered by end year flexibility as announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*. The running cost limit increase relates to: £600,000 lottery grant in respect of the project to microfilm WW1 soldiers documents; and £200,000 generated by additional receipts for wholesale publishing and book purchases.

Simon De Danser

Valerie Davey: To ask the Minister of State, Lord Chancellor's Department what were the total costs of the trial in connection with the 'Simon de Danser' drugs case. [70642]

Mr. Hoon: Approximately £27,300. This figure includes judicial, staff and support costs, but not the cost of accommodation. The cost to the legal aid fund is not yet known.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Plastic Recycling

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is on the recycling of plastic; and what discussions he has had with local authorities in England and Wales on initiatives undertaken by them. [69067]

Mr. Meale: We believe that recycling is critical to the task of making our waste management more environmentally acceptable and are committed to seeing a substantial increase in the role that recycling plays. It makes sense to recycle waste if this is the Best Practicable Environmental Option (for example in some cases the amount of energy needed to collect, transport and process materials for recycling, and the associated air emissions, are greater than those required for virgin material production).

It is of course for individual local authorities to consider whether recycling of a particular material is a viable option, economically or on environmental grounds, within their particular district. Factors which will need to be considered in the recycling of plastic are, for example, the economic and environmental costs of transporting a large volume, lightweight material, of sorting the various polymer types and of washing the material which is very often contaminated by the food and drink it has contained.

My officials discussed recycling, including of plastics, with local authorities for a recent Good Practice Guide, and in the Market Development Group which has been set up to consider and identify the barriers to expanding the markets for recycled materials and to develop practical proposals to overcome them.

Local Government Finance

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions the Minister for Local Government and Housing has declined requests from local authorities to discuss the local government grant settlement *(a)* in person and *(b)* by video link. [70069]

Ms Armstrong: Three local authorities, Gloucestershire County Council, Babergh District Council and Greater Manchester Fire and Civil Defence Authority, were refused a meeting in consultation on the Local Government Finance Settlement for 1999–2000. The Department received their requests after the deadline of 5 January for the receipt of written requests, as set in the Department's letter of 2 December covering the consultation package on the proposals for the Settlement. It is important in a consultation process that all authorities are given equal treatment. To meet local authorities when their request had been received beyond the deadline would have been to single those authorities out for more favourable treatment. Ministers in the Department for Environment, Transport and the Regions did, however, meet all seventy-two local authorities that had made a request that was received before the deadline.

Millennium Compliance

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on insurance cover for local authorities against liabilities associated with the millennium bug; and if he will make a statement. [70261]

Mr. Raynsford: My right hon. Friend is not aware of any such representations. It is the responsibility of local authorities to ensure they take such measures as they consider necessary to deal adequately with the risks posed for them by the millennium bug.

EU Tacis Programme

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from construction industry representatives about the late payment of invoices to United Kingdom companies under the EU Tacis Programme; and what initiatives he is taking to resolve the matter. [70093]

Mr. Raynsford: Nicholas Bennett, Chief Executive of the ACE, wrote to me on 25 January enclosing a copy of his letter to my hon. Friend the Minister for Small Firms, Trade and Industry. This is an important issue on which we share the concerns of the industry. I refer the hon. Member to the reply given to him by my hon. Friend the Parliamentary Under-Secretary of State at the Department for International Development which is the lead department on the Tacis and other external EC external aid programmes on 10 February 1999, *Official Report*, columns *280–81*.

Public Service Vehicle Operators

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many of the existing small public service vehicle operators meet the EU capital reserves criterion of £6,500 for the first vehicle and £3,500 for each additional vehicle; [70221]

(2) when the provisions of the EU directive relating to certificates of professional competence of small public service vehicle operators will be implemented; and if he will make a statement. [70220]

Ms Glenda Jackson: Council Directive 98/76/EC which sets out, among other things, the revised capital reserve and professional competence requirements for the relevant operators of passenger carrying vehicles, does not apply to those operators who use only vehicles with fewer than 9 passenger seats ("small" public service vehicles). Those operators will however, continue to have to meet the appropriate requirements for grant of an operator's licence by the Traffic Commissioner, including those in respect of finance and professional competence.

Diesel Emissions

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to encourage bus operators to reduce pollution from diesel fuel emissions; and if he will make a statement. [69670]

Ms Glenda Jackson: The Government have introduced a wide range of measures to encourage bus operators to reduce harmful emissions from diesel powered buses. We fully support the heavy diesel Directive agreed by the Council of Ministers in December 1998, which sets far more stringent emission standards for new buses and lorries from 2001. We are also encouraging the early introduction of ultra low sulphur diesel through the use of fuel duty differentials, and the fitting of particulate traps through the new Vehicle Excise Duty concession for low emission buses and lorries. In addition, my Department is funding the Energy Saving Trust's Powershift programme which helps to cover the additional costs of converting vehicles, including buses, to use alternative fuels.

Light Rail and Tram Systems

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the light rail or tram systems which were given or are proposed to be given Government funding in the *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 financial years, stating the value of such funding and the percentage it formed of the cost of each scheme. [70193]

Ms Glenda Jackson: We have provided capital funding for light rail/tram systems as follows:

	Midland Metro Line 1	*Manchester Metrolink to Salford Quays/Eccles*	*Blackpool Tramway*	*Croydon Tramlink*	*Scheme Proposed Tyne and Wear Metro Extension to Sunderland*[2]
DETR funding (£ million)					
1997–98	14.54	8.2	0.1	50	0
1998–99	2.24	6.2	0	33.5	0
1999–2000	0.50	2.9	0	16.5	1
Total DETR funding (£ million)[1]	80	17.3	5.0	125	n/a
Estimated total scheme cost (£ million)	144.8	134	6.4	200	n/a
DETR funding as percentage of estimated total scheme cost	55	13	78	63	n/a

[1] Total DETR funding. This includes funding allocated by DETR in other financial years not requested.

[2] Provisional allocation subject to further assessment of project. Total scheme cost estimate is not yet available.

Tenancy Transfers

Mr. Soley: To ask the Secretary of State for the Environment, Transport and the Regions how many applications have been made by tenants to HOMES for a transfer of tenancy in each year since 1994; and what percentage of these applications were successful. [70095]

Mr. Raynsford: Information about the number of applicants for a transfer of tenancy through the HOMES mobility scheme is available only for the current year. Between April and December 1998 HOMES received 33,933 nominations and 5,319 people (6.4 per cent.) were housed through the scheme. For previous years information is available for the number of households successfully housed:

Year	*Number*
1997–98	10,304
1996–97	9,872
1995–96	10,128
1994–95	9,552

HOMES also operates an exchange scheme, HOMESWAP. The number of households registering an interest in exchanging their homes through that scheme were:

Year	*Number*
1998–99 April to January	29,478
1997–98	38,675
1996–97	41,675
1995–96	46,169
1994–95	44,817

Individuals arrange exchanges direct with other tenants and the landlords concerned, so no central record is available for the number of exchanges arranged through HOMESWAP.

Aviation Fuel Tax

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what advice his Department has given to UK airlines with regard to the tax on aviation fuel recently imposed by the Norwegian Government [69705]

Ms Glenda Jackson: The Department has given no formal advice to UK airlines about the aviation fuel tax introduced by Norway on 1 January 1999. However, in conversations about the tax with UK airlines operating to Norway, DETR officials confirmed that the tax appeared to breach the UK/Norway Air Services Agreement, signed in Oslo on 26 January 1979, which exempts aviation fuel for international flights from tax. Officials wrote to the Norwegian authorities on 4 January drawing attention to this apparent breach and asking them to rescind the tax. I understand that the Norwegians are currently considering the position, in the light of this and other similar representations received.

In principle, the Government are in favour of an aviation fuel tax, but believe this should be agreed at international level. Action by individual states or by groups of states would infringe existing international agreements, distort airline competition and could have environmental disbenefits.

Planning Policy

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions which planning policy guidance notes are currently under review by his Department. [70197]

Mr. Raynsford: The following revisions of planning policy guidance notes will shortly be issued for consultation: PPG3—Housing; PPG11—Regional Planning; and PPG12—Development Plans. Consideration is also being given to updating PPG13—Transport; PPG17—Sport and Recreation; and PPG23—Planning and Pollution Control. The Department has also consulted on proposals to strengthen protection for Sites of Special Scientific Interest, including possible changes to PPG9—Nature Conservation. A final revised version of PPG10—Planning and Waste Management, will be published in the Spring.

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that regional development agencies take account of relevant strategic polices laid down in local authorities' development plans. [70196]

Mr. Meale: Regional Development Agencies (RDAs) must, like any other body, work within and alongside the framework provided by Regional Planning Guidance and local authority development plans.

Guidance will be issued to RDAs under section 7 of the RDAs Act on the development of their strategies, which will clearly set out the relationship between RDAs' strategies and regional planning guidance and local authority development plans.

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make the need for new retail and leisure developments a material consideration to be taken into account by local planning authorities in determining planning applications. [70744]

Mr. Caborn: Our policy on town centres, including retail and leisure development, is set out in Planning Policy Guidance note 6: Town Centres and Retail Development (PPG6). This aims to sustain and enhance the vitality and viability of our existing town centres by focusing new investment, particularly for retail and leisure uses within city, town and district centres. This statement is intended to add to and clarify the guidance in PPG6 in the light of a number of issues raised in recent litigation which concern the interpretation of PPG6 and Government policy.

PPG6 advises local planning authorities to adopt a positive, plan-led approach to handling planning applications involving new retail and leisure developments. It advises them, in preparing planning strategies and policies, to consider the need for new retail and leisure development in the plan area over the lifetime of the plan. Having established that such need exists, local planning authorities should then adopt a sequential approach (as explained in PPG6) to identify suitable sites. If there is no need for further developments, there will be no requirement to identify additional sites.

Proposals for new retail and leisure development which accord with an up-to-date plan strategy or are proposed on sites within an existing centre, should not be required to demonstrate that they satisfy the test of need because this should have been taken into account in the development plan.

However, proposals which would be located at an edge-of-centre or out-of-centre location and which:

> are not in accordance with an up-to-date development plan strategy; or
>
> are in accordance with the development plan but that plan is out of date, is inconsistent with national planning policy guidance, or otherwise fails to establish adequately the need for new retail and leisure development and other development to which PPG6 applies, should be required to demonstrate both the need for additional facilities and that a sequential approach has been applied in selecting the location or the site.

In the context of PPG6 and this additional guidance, the requirement to demonstrate 'need' should not be regarded as being fulfilled simply by showing that there is capacity (in physical terms) or demand (in terms of available expenditure within the proposal's catchment area) for the proposed development. Whilst the existence of capacity or demand may form part of the demonstration of need, the significance in any particular case of the factors which may show need will be a matter for the decision-maker.

In the circumstances referred to above, the need for such proposals should be considered carefully when determining planning applications. A failure to demonstrate both the need for such proposals and that a sequential approach has been applied in selecting the application site would normally justify the refusal of planning permission unless there were weighty additional material considerations.

In applying the sequential approach, the relevant centres in which to search for sites will depend on the nature and scale of the proposed development and catchment that the development seeks to serve. The scale of such proposals should also be appropriately related to the centre—whether town, district or local—the development seeks to serve.

The policy set out in PPG6, and the guidance above should be applied equally to proposals for extending existing edge-of-centre and out-of-centre development which creates additional floor space. Local planning authorities should consider the need for further retail or leisure facilities and then apply the sequential approach to identifying where any such development should take place. Where proposals for such extensions to existing developments are put forward, the Government will expect applicants to demonstrate the need for additional facilities, and that such additional facilities could not be accommodated on sites in more central locations, in accordance with the sequential approach. Need in this context, as in PPG6 generally, should be interpreted as already explained above. Local planning authorities should therefore treat extensions to existing retail and leisure facilities in edge-of-centre and out-of-centre locations as if they were new development.

Regional Development Agencies

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions how many RDA board members have worked in business. [70545]

Mr. Meale: The Chairman of each of the Regional Development Agencies has a predominantly business background. In addition to the chairmen, 48 board members currently work in business. A number of the other board members have previously worked in business.

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions how many RDA board members are trades union officials. [70543]

Mr. Meale: One member of each of the eight Regional Development Agency boards is a trade union official.

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions how much RDA board members are to be paid per annum. [70624]

Mr. Meale: The pay for RDA members (other than the Chairmen and Deputy Chairmen) is £7,000 per year for a commitment of two days a month.

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions how many RDA board members are members of the *(a)* Liberal Democrat, *(b)* Conservative and *(c)* Labour parties. [70544]

Mr. Meale: Among the local councillors who are members of the boards of the Regional Development Agencies, 6 are members of the Liberal Democrat party, 4 are members of the Conservative party, 21 are members of the Labour party and one is an Independent. Other board members are not required to declare whether they are members of any political party.

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions if he will give the *(a)* remuneration paid to and *(b)* the number of days per week required of RDA chairmen. [70623]

Mr. Meale: The pay for RDA Chairmen is £44,000 per year for a commitment of two days a week. For Deputy Chairmen it is £14,000 per year for a commitment of one day a week.

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions what methods he used to ensure that there was appropriate party political balance in the membership of each RDA board. [70546]

Mr. Meale: All appointments to the RDA Boards were based on merit. We considered party political balance only in relation to the four local councillors appointed to each board. We had in mind the number of council seats held by each political party, and the proportion of votes cast for each political party across the whole of the region; but also sought to reflect other factors such as geographical spread and other relevant background experience.

Housing Unit Statistics

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* new housing units were built and *(b)* existing housing units were cleared in each calendar year from

1993 to 1998 in the local authority areas of (i) Plymouth, (ii) Teignbridge, (iii) Torbay and (iv) the South Hams. [69861]

Mr. Raynsford: The Table shows the figures as reported to the Department by the local authorities concerned. Figures about demolitions are only available on a financial year basis.

Housebuilding: Total Completions: Number of dwellings

Year	*Plymouth*	*Teignbridge*	*Torbay*	*South Hams*
1993	262	624	242	295
1994	355	634	434	373
1995	515	552	312	432
1996	551	572	297	392
1997	437	603	373	281
1998	259	502	302	280

Demolitions: Total: Number of dwellings

Year	*Plymouth*	*Teignbridge*	*Torbay*	*South Hams*
1992–93	113	0	0	0
1993–94	0	6	7	10
1994–95	17	1	5	0
1995–96	34	0	11	40
1996–97	0	0	5	0
1997–98	4	0	0	0

Departmental Cash and Running Costs Limits

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to change his Department's cash limits and running cost limits for 1998–99. [71120]

Mr. Prescott: Subject to Parliamentary approval of the necessary Supplementary Estimates, my Department's cash limits will change as follows. All references to the take-up of end year flexibility refer to the Chief Secretary to the Treasury's announcement of 14 July 1998, *Official Report*, columns *131–36*.

(i) the cash limit for class VI, Vote 1—Housing, construction, regeneration, countryside and wildlife, England—will be increased by £48,419,000 from £1,792,339,000 to £1,840,758,000. The principal changes are: an increase of £41,488,000 for expenditure in advance of EC receipts on European Regional Development Fund Objective 2 programmes incurred on behalf of this department (£22,395,000), the Department of Trade and Industry (£11,128,000), the Department of Culture, Media and Sports (£2,708,000) and the Department for Education and Employment (£5,177,000, including a small element for other old programmes); a transfer of £23,620,000 to the DETR/HC (Housing Corporation) cash limit mostly for Estates Renewal Challenge Fund grants to registered social landlords administered by the Housing Corporation from direct government expenditure on that programme; an increase of £16,994,000 for Single Regeneration Budget programmes, comprising the take up of £12,494,000 end-year flexibility and the transfer of £4,500,000 from the DETR/NC (New Towns) cash limit; and new provision of £17,657,000 for Coalfields Regeneration Trust expenditure. The Housing Action Trusts' external finance limit will be increased by £1,500,000 from £87,500,000 to £89,000,000 as a result of these changes. Lastly, £4,100,000 of Rent Assessment Panels provision, £1,500,000 of which is running costs, will be transferred to the cash limit for Class VI, Vote 5 (Department of the Environment, Transport and the Regions: administration).

(ii) the DETR/HC (Housing Corporation) cash limit will be increased by £24,138,000 from £709,773,000 to £733,911,000, reflecting a transfer of £23,620,000 from the Class VI, Vote 1 cash limit, most of which relates to a change in the Estates Renewal Challenge Fund payment arrangements described above, and £518,000 take up of end year flexibility.

(iii) the cash limit for Class VI, Vote 2—Planning, roads, local transport and vehicle safety—will be increased by £397,000 from £361,154,000 to £361,551,000. The increase reflects an inter vote transfer from Class VI, Vote 6 (Transport Industries), to bring forward the London wide implementation of the camera enforcement of bus lanes.

(iv) the DETR/LACAP (T) (Local Authority Capital—Transport) non-voted cash limit will be reduced by £23,575,000 from £319,340,000 to £295,765,000, to reflect the earlier transfer of transport ERDF credit approvals to the DETR/ERDF (European Regional Development Fund) non-voted cash limit.

(v) the cash limit for Class VI, Vote 3—Environmental protection and water—will be increased by £1,181,000 from £334,774,000 to £335,955,000. The increase reflects a transfer of £951,000 from the DETR/OES (other environmental services) cash limit for remedial work on contaminated land (£912,000), funding for the local authority air pollution unit (£20,000), both to be undertaken by the Environment Agency, and pneumoconiosis compensation payments (£19,000); a transfer of £250,000 from Class VI, Vote 13 (Ordnance Survey) for pneumoconiosis compensation payments; offset by a transfer of £20,000 to Class VI, Vote 5 (Department of the Environment, Transport and the Regions: administration) to allow for increased Departmental running costs following the winding up of the UK Ecolabelling Board.

(vi) the DETR/OES (other environmental services) cash limit will be reduced by £31,000 from £19,872,000 to £19,841,000. The decrease results from: the transfer of £912,000 from the contaminated land Supplementary Credit Approval programme to the Environment Agency for work on contaminated land; the transfer of £20,000 from the Isles of Scilly Supplementary Credit Approval programme to the Environment Agency towards the part-year costs of its take-over from DETR of the responsibilities of the local authority air pollution unit; the transfer of £19,000 from the Isles of Scilly SCA programme for pneumoconiosis grant payments; and the take up of £920,000 of capital end year flexibility entitlement.

(vii) the cash limit for Class VI, Vote 4—Local government and regional policy, England—will be reduced by £1,650,000 from £32,296,619,000 to £32,294,969,000. This decrease is the result of savings on special grant in support of Private Finance Initiative projects and on payments of valuation tribunals' expenses. It will allow an increase of £150,000 in provision for emergency financial assistance to local authorities outside the cash limit, and an increase of £1,500,000 in the DETR/LGR (local government reorganisation) non-voted cash limit.

(viii) the DETR/LGR (local government reorganisation) non-voted cash limit will be increased by £1,500,000 from £125,800,000 to £127,300,000 to meet increased demand for Supplementary Credit Approvals in connection with the commutation of annual loan charges and grants to local authorities on 1 October 1992.

(ix) the cash limit for Class VI, Vote 5—Department of the Environment, Transport and the Regions: administration—will be increased by £20,907,000 from £440,492,000 to £461,399,000. The increase reflects the take up of £4,780,000 by the Health and Safety Executive and £9,892,000 by the Department of the Environment, Transport and the Regions of running costs end year flexibility. In addition, an inter-vote transfer from Class VI, Vote 1 (Housing, construction, regeneration, countryside and wildlife, England) of £1,500,000 of running costs and £2,600,000 of other provision has been made to central administration; together with a transfer from Class VI, Vote 3 (Environment protection and water) of £20,000 in respect of the running costs associated with carrying out the residual functions of the UK Ecolabelling Board, following the decision to wind up this body; a transfer from the Department of Trade and Industry (Class V, Vote 1) in

respect of the capital costs of the Government Offices for the Regions; and an increase of £2,000,000 to provision in respect of increased claims arising from the sale of PSA businesses. Increases to provision for running costs and appropriations in aid for central administration have also been made to allow for the reclassification of recoverable VAT refunds in respect of the cost of contracted out services.

(x) the cash limit for Class VI, Vote 6—Transport industries—will be reduced by £3,397,000 from £75,190,000 to £71,793,000. This reduction consists of the transfer of £3,500,000 from a cash limited to a non-cash limited section of the vote; a transfer of £397,000 to Class VI, Vote 2 (Planning, roads, local transport and vehicle safety) to provide partial funding for the London wide implementation of bus lane camera enforcement, partially offset by an increase in provision of £500,000 to reflect the latest estimate of the legal costs of the National Bus Company pensions case. In addition a transfer of £1,000,000 will be made from the non-voted British Rail programme to the CTRL competition line of this vote for European Night Stock lease termination payments.

(xi) the cash limit for Class VI, Vote 7—Other Executive Agencies—will be increased by £1,205,000 from £117,472,000 to £118,677,000. The increase reflects a £700,000 transfer from Class VI, Vote 8 (Highways Agency) for a voluntary early retirement scheme in the Maritime and Coastguard Agency; a £208,000 transfer from Class VI, Vote 8 and £200,000 take up of running costs end of year flexibility for the Planning Inspectorate because of responsibilities taken on by the agency from other parts of DETR; and a £97,000 transfer from Class II, Vote 1 (Foreign and Commonwealth Office: overseas representation) for costs associated with the provision of survey and certification services by the Maritime and Coastguard Agency. The running cost provision for this vote will increase by £1,205,000 from £84,063,000 to £85,268,000.

(xii) the cash limit for Class VI, Vote 8—Highways Agency—will be increased by £14,869,000 from £1,420,601,000 to £1,435,470,000. This increase reflects the take up of £7,769,000 capital end year flexibility; take up of £8,000,000 from the DETR/NT (New Towns) non-voted cash limit for the Limehouse Link—East India Dock tie-in road; offset by the transfer of £900,000 running costs provision from Class VI Vote 8 to Class VI Vote 7 (Other executive agencies) in respect of the Maritime and Coastguard Agency (£700,000) and Planning Inspectorate (£200,000) to offset emerging pressures.

(xiii) the cash limit on Class VI, Vote 9—Driver and Vehicle Licensing Agency—will be increased by £1,000 from £98,799,000 to £98,800,000. The increase involves the take up of £1,425,000 to reflect the introduction of the vehicles first registration fee; additional provision of £385,000 arising from the introduction of graduated vehicle excise duty, increased running costs of £2,755,000 and additional programme costs of £6,218,000. The increases are offset by the inter vote transfer of £34,000 from the Department of the Environment for Northern Ireland (NIDI) and increased appropriations in aid of £13,614,000. The running cost provision on this vote is increased by £3,591,000 from £192,111,000 to £195,702,000.

(xiv) the cash limit for Class VI, Vote 10—Passenger Rail Services—will be increased by £431,000 from £1,254,889,000 to £1,255,320,000. This increase reflects the take up of £431,000 running costs end year flexibility to meet increased in-year requirements in relation to preparations for the creation of the shadow Strategic Rail Authority. In addition, gross provision and appropriations-in-aid will be adjusted in respect of recoverable VAT and to reflect forecast outturn for Support for Passenger Rail Services.

(xv) the cash limit for Class VI, Vote 11—Office of the Rail Regulator—will be increased by £408,000 from £8,920,000 to £9,328,000. This increase reflects the take-up of £408,000 running costs end year flexibility to meet increased in-year requirements associated with ongoing consultancy programmes and additional accommodation costs and to adjust gross provision and appropriations-in-aid in respect of recoverable VAT.

(xvi) the cash limit for Class VI, Vote 13—Ordnance Survey—will be reduced by £250,000 from £12,962,000 to £12,712,000. The decrease reflects an estimated underspend in running costs provision.

(xvii) the DETR/NT (New Towns) non-voted cash limit will be reduced from minus £103,100,000 to minus £115,600,000. This decrease is a result of the achievement of £7,000,000 additional capital receipts, £4,000,000 of which will be transferred to Class VI Vote 1 (Housing, construction, regeneration, countryside and wildlife, England) for a capital project undertaken by the Castle Vale Housing Action Trust, and £3,000,000 will be added to the Commission's expenditure to help it disengage from its lease/leaseback programme. The Commission's receipts target will be increased from £157,000,000 to £164,000,000 and its approved capital expenditure will be increased from £33,000,000 to £36,000,000. £8,000,000 allocated for the East India Dock road will be transferred to the Highways Agency (Class VI, Vote 8), and £500,000 allocated for University College, Stockton will be transferred to Class VI Vote 1, reducing the Commission's Urban Development Corporation inheritance element of the cash limit from £20,900,000 to £12,400,000.

(xix) as a consequence of the changes to Class VI, Votes 1,5,7,8 and 9, the gross running cost limit for the Department of the Environment, Transport and the Regions has been increased by £10,631,000 from £603,637,000 to £614,268,000. The gross running cost limit for the Health and Safety Executive has been increased by £4,780,000 from £156,945,000 to £161,725,000.

The overall increases will be offset by transfers or charged to the reserve and will not therefore add to the planned total of public expenditure.

Greater London Authority

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions if he will announce the date when the Greater London Authority will assume its responsibilities. [71248]

Mr. Raynsford: Subject to the passage of the Greater London Authority Bill, the Greater London Authority will assume its responsibilities on Monday 3 July 2000. This will maintain momentum while allowing some eight weeks after the elections on 4 May for necessary preparations.

Rural England

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to consult on the future of rural England; and if he will make a statement. [71423]

Mr. Meacher: Together with my hon. Friend the Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food, I shall be publishing "Rural England—A Discussion Document", on Wednesday 17 February. This will invite responses to help in the preparation of the White Paper for rural England announced by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions on 27 November 1998, *Official Report*, columns *38–40*. Copies will be placed in the Library and the Vote Office.

HOME DEPARTMENT

Young Offenders

Mr. Maclean: To ask the Secretary of State for the Home Department if he will provide a regional breakdown of courts' progress in meeting the target of halving the number of days between arrest and sentencing of persistent young offenders. [67727]

Mr. Boateng: In the past, information on the length of time from arrest to sentence for persistent young offender cases has not been routinely collected. We have undertaken two special exercises to monitor performance nationally against the pledge on persistent young offenders and we have also put in place new arrangements to enable this information to be collected on a regular basis through the existing Time Interval Survey. The first special exercise showed the time from arrest to sentence for persistent young offenders was 142 days in 1996. The second showed an improvement to 138 days between May and December 1997. It is not possible from these data to provide a statistically reliable measure of progress towards the pledge at regional level. A third special exercise, which should produce the 1998 figures in the spring, will, however, allow an estimate to be made on the progress of individual regions in 1997–98.

The new arrangements for the regular collection of data on the time taken from arrest to sentence for persistent young offenders and all other young offenders were implemented in October 1998 after piloting. The first complete data from the new Time Interval Survey should be available by late 1999. These will allow for a breakdown of performance by area.

Under guidance issued by the Home Secretary in October 1998, a half of all cases involving persistent young offenders should be dealt with in under 71 days by April this year. The Government fully expect to fulfil its pledge during this parliament.

Mr. Maclean: To ask the Secretary of State for the Home Department what is the latest available figure for the number of days between arrest and sentencing for *(a)* persistent young offenders and *(b)* all offenders dealt with in the youth courts. [67726]

Mr. Boateng: The Government are committed to halving the average time taken to deal with persistent young offenders from the 142 days it took in 1996. Figures for 1997 show that between May and December 1997 the average dropped to 138. These figures cover a considerable period when there were very few fast tracking schemes; at the time of the election there were only 8 in the whole of England and Wales. There are now around 150 covering almost half of all court areas.

Under guidance published by the Home Secretary in October 1998, a half of all cases involving persistent young offenders should be dealt with in under 71 days by April this year.

The Government fully expect to fulfil their pledge during this Parliament.

Information about the average time for arrest to sentence for all young offenders in the youth court has not been collected nationally in the past. New arrangements to do so were introduced in October last year but are unlikely to produce reliable data until the end of this year at the earliest. The magistrates' courts Time Interval Survey collects information on cases completed in one week samples each February, June and October, covering the date of charge or summons until the date of completion. The latest available results for the Youth Court come from the June 1998 survey, and reports an average of 81 days, compared with 92 days in June 1997.

Prisoners (Segregation)

Mr. Cox: To ask the Secretary of State for the Home Department what was the longest period of time an *(a)* male and *(b)* female prison inmate has been held in a segregation unit (i) at the inmate's own request and (ii) at the decision of the prison authorities in a prison in England and Wales in the last 10 years. [69066]

Mr. George Howarth: The information requested cannot be obtained from the centrally available data.

Drugs (Northumbria)

Mr. Kemp: To ask the Secretary of State for the Home Department what the total number of drug seizures within the Northumbrian Police Force area was in 1998; and what percentage of these were *(a)* hard and *(b)* soft drugs. [70357]

Mr. George Howarth: Figures for 1998 are not yet available. It is hoped to publish 1997 statistics in the next few months; I will write to my hon. Friend when they are published. The table shows the number of seizures by Northumbria Police for 1996.

Number of seizures of controlled drugs by Northumbria Police by drug type in 1996

Drug type	*Number of seizures*
All drugs	3,134
Class A	
Cocaine	30
of which "Crack"	2
Heroin	128
LSD	22
Ecstasy-type	132
Methadone	13
Other class A	7
Class A total	322
Class B	
Cannabis	2,424
Amphetamines	569
Other Class B	9
Class B total	2,857
Class C	
Benzodiazepines	63
Temazepam	40
Anabolic steroids	12
Other class C	6
Class C total	114
Class unknown	2

Note:

As a seizure can involve more than one drug, figures for individual drugs cannot be added together to produce totals.

Source:

Table A1.3 of Statistics of drug seizures and offenders dealt with, United Kingdom, 1996—Area tables, published by Home Office Research and Statistics Directorate, April 1998.

Police (Training)

Mr. Maclean: To ask the Secretary of State for the Home Department if he will list for each police force in England and Wales the training which has been given on operation of the new police personnel procedures which come into effect on 1 April. [70579]

Mr. Boateng: The Training Support section of the National Police Training organisation has delivered half day seminars to appropriate members of all police forces (including "non-Home Office" forces) in England and Wales to inform them of the new procedures, and additionally have run two-day workshops which were attended by delegates from 41 police forces. The workshops were aimed particularly at force trainers to equip them to train members of their forces. The individual forces concerned are identified in the table. The national training was completed in January 1999 and forces are now engaged in training their personnel. Each force is responsible for its own training in terms of its nature and scope and, while all officers are understood to be receiving some information, police managers will naturally require more than police constables.

Forces/organisations represented at a seminar on the new police personnel procedures

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Police

Cheshire Constabulary

City of London Police

Cleveland Constabulary

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Constabulary

Dorset Police

Durham Constabulary

Dyfed-Powys Police

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Gwent Constabulary

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent County Constabulary

Leicestershire Constabulary

Lincolnshire Police

Merseyside Police

Metropolitan Police Service

Norfolk Constabulary

Northamptonshire Police

Northumbria Police

North Yorkshire Police

North Wales Police

Nottinghamshire Constabulary

South Wales Police

South Yorkshire Police

Staffordshire Police

Suffolk Constabulary

Surrey Police

Sussex Police

Thames Valley Police

Warwickshire Constabulary

West Mercia Constabulary

West Midlands Police

West Yorkshire Police

Wiltshire Constabulary

Other forces

British Transport Police

Ministry of Defence Police

Royal Parks Constabulary

UK Atomic Energy Authority Constabulary

Other interested organisations

Royal Ulster Constabulary

National Crime Squad

National Criminal Intelligence Service

[1] Expected to introduce parallel provisions in their own areas.

Forces/organisations represented at a workshop on the new police personnel procedures workshop

Avon and Somerset Constabulary

Bedfordshire Police

Cheshire Constabulary

Cleveland Constabulary

Cumbria Constabulary

Derbyshire Constabulary

Devon & Cornwall Constabulary

Dorset Police

Durham Constabulary

Dyfed-Powys Police

Essex Police

Greater Manchester Police

Gwent Constabulary

Hertfordshire Constabulary

Humberside Police

Lancashire Police

Leicestershire Constabulary

Lincolnshire Police

Merseyside Police

Metropolitan Police Service

Norfolk Constabulary

Northamptonshire Police

Nottinghamshire Constabulary

North Yorkshire Police

North Wales Police

South Wales Police

South Yorkshire Police

Staffordshire Police

Suffolk Constabulary

Surrey Police

Sussex Police

Thames Valley Police

Warwickshire Constabulary

West Mercia Constabulary

West Midlands Police

West Yorkshire Police

Wiltshire Constabulary

Other organisations/forces[1]

Ministry of Defence Police

Royal Parks Constabulary

UK Atomic Energy Authority Constabulary

Royal Ulster Constabulary

[1] Expected to introduce similar or parallel provisions in their own areas.

Police (Pensions)

Mr. Maclean: To ask the Secretary of State for the Home Department what proposals he has to remove or reduce the pension entitlement of police officers found guilty of an offence of breach of police disciplinary rules. [R] [70571]

Mr. Boateng: This is something we are considering. However, we are concerned that any measures we do propose should be both fair and proportionate. We will not reach any firm conclusions before taking the opportunity to consider he report of the Macpherson Inquiry and any recommendations it makes.

Ministerial Visits (India)

Mr. Vaz: To ask the Secretary of State for the Home Department what plans he has to visit India. [70401]

Mr. Straw: I hope to be able to visit India later in the year.

Local Government Finance

Ms Buck: To ask the Secretary of State for the Home Department if he will list the *(a)* grants and *(b)* other financial support by his Department to (i) Westminster City Council and (ii) the Royal Borough of Kensington and Chelsea, other than through the RSG settlement, in (1) 1997–98, (2) 1998–99 and (3) planned for 1999–2000 given; and for what purposes the funds were allocated. [70158]

Mr. Straw: The information requested in respect of grants directly paid by the Home Office is given in the table. No other financial support is provided.

£

Purpose of grant	*1997–98*	*1998–99*	*1999–2000*
Westminster City Council:			
Civil Defence	35,000	35,000	35,000
Section 11 grants under the Local Government Act 1966	1,363,058	1,398,498	—
Royal Borough of Kensington and Chelsea:			
Civil Defence	35,000	35,000	35,000
Section 11 grants under the Local Government Act 1966	739,615	758,845	—
Drugs prevention	6,000	—	—
Closed Circuit TV[2]	75,600	—	—

[1] From 1999–2000 funding will be made by the Department of Education and Employment

[2] The CCTV competition will not continue in 1999–2000

[3] Planned

Missile Incidents (Roads and Railways)

Mr. Cohen: To ask the Secretary of State for the Home Department what are the maximum penalties for *(a)* throwing an object from a bridge, *(b)* throwing an object from a bridge causing serious or slight injuries and *(c)* throwing an object from a bridge causing death, on (i) motorways, (ii) other roads and (iii) railways; and what plans he has for changes in the maximum penalties. [70271]

Mr. Boateng: There is no separate offence of "throwing an object from a bridge". Where danger, injury or death results from such behaviour, it can be covered by a range of existing offences, including general offences against the person. There are also a number of offences which relate specifically to the roads and railways. Examples of these offences and their maximum penalties are set out in the table:

Offence	*Legislation*	*Maximum penalty*
Placing wood, etc. on railway with intent to obstruct any engine etc.	Section 35, Malicious Damage Act 1861	Life imprisonment
Obstructing engines or carriages on the railway.	Section 36, Malicious Damage Act 1861	2 years' imprisonment
Placing wood, etc. on railway with intent to endanger passengers	Section 32, Offences Against the Person Act 1861	Life imprisonment
Casting stone, etc. on a railway carriage with intent to endanger safety.	Section 33, Offences Against the Person Act 1861	Life imprisonment
Doing or omitting anything so as to endanger railway passengers.	Section 34, Offences Against the Person Act 1861	2 years' imprisonment
Causing danger to road users	Section 22A, Road Traffic Act 1988	7 years' imprisonment

There are currently no plans to increase these maximum penalties.

Prison Officers (Suspensions)

Mr. Cox: To ask the Secretary of State for the Home Department how many prison officers who were serving in prisons in England and Wales, and who are now suspended from duty due to allegations as to their conduct, have been suspended for *(a)* up to three months, *(b)* up to six months, *(c)* up to nine months, *(d)* up to 12 months, *(e)* up to 15 months and *(f)* over 15 months. [69925]

Mr. George Howarth: The information requested is given in the table, as at 8 February 1999.

Suspended Prison Officers: 8 February 1999

Period	*Number*
Up to 3 months	42
3-6 months	15
6-9 months	18
9-12 months	22
12-15 months	2
Over 15 months	22

Prison Officers (Ethnic Minorities)

Mr. Cox: To ask the Secretary of State for the Home Department what action his Department is taking to increase the number of prison officers in prisons in England and Wales who come from ethnic minorities; and if he will make a statement. [69811]

Mr. George Howarth: In the last few years, the Prison Service has made considerable progress on increasing the numbers of prison officers recruited from ethnic communities. Figures for the year to 31 March 1998 indicate that 7.8 per cent. of prison officers recruited were from ethnic minorities. More than double the figure for any previous year.

The Prison Service Racial Equality Programme (RESPOND) was launched on 1 February 1999. £3 million has been committed to this programme over the next three years.

A number of key actions have been identified. Those for 1999–2000 which look in particular at increasing ethnic minority representation include:

appointing a Racial Equality Adviser;

re-establishing a Recruitment Outreach Team (to assist establishments in recruiting ethnic minority staff); and

setting targets in the areas of recruitment, representation by grade and retention which will be announced later this year.

Mr. Waghela

Mr. Vaz: To ask the Secretary of State for the Home Department when the Parliamentary Under-Secretary of State, the hon. Member for North Warwickshire (Mr. O'Brien), plans to meet the hon. Member for Leicester, East to discuss the case of Mr. Waghela of Melrose Street, Leicester (ref. PO 16500/98 W 251588); and if he will make a statement. [70060]

Mr. Mike O'Brien: I am writing to my hon. Friend about this case.

Police Authority Members

Mr. Alan W. Williams: To ask the Secretary of State for the Home Department if he will place in the Library for each police authority area in Wales the list of persons submitted to his Department for consideration as independent police authority members in each of the last five years. [70052]

Mr. Boateng: It is not our practice to publish the names of those put forward for consideration as independent members of police authorities. The selection panels which have put those names forward have treated applications in confidence. To publish those names would make known the names of unsuccessful candidates as well as those who were subsequently appointed, and I am not prepared to do this without their express consent. This could be obtained only at disproportionate cost.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for the Home Department which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69908]

Mr. Straw: The following executive non-departmental public bodies sponsored by my Department have a statutory base:

Alcohol Education and Research Council

Commission for Racial Equality

Criminal Cases Review Commission

Gaming Board for Great Britain

Horserace Betting Levy Board

Horserace Totaliser Board

Office of the Data Protection Registrar

Parole Board

Police Complaints Authority

Police Information and Technology Organisation

Youth Justice Board.

Those currently within the jurisdiction of the Parliamentary Commissioner for Administration are:

Commission for Racial Equality

Criminal Injuries Compensation Authority

Data Protection Registrar

Horserace Betting Levy Board

Police Information Technology Organisation.

In addition, the following will be brought within his jurisdiction shortly by means of an Order in Council:

Parole Board

Community Development Foundation

Youth Justice Board for England and Wales.

Dr. Tony Wright: To ask the Secretary of State for the Home Department which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69971]

Mr. Straw: None of the advisory bodies sponsored by my Department admits members of the public to board or committee meetings.

The Parliamentary Boundary Commission for England and Wales hold local public inquiries, under criteria set out in the Parliamentary Constituencies Act 1986, at which any member of the public may attend, and the Metropolitan Police Committee holds two public meetings a year.

The Advisory Board on Restricted Patients has two lay members on its board, and 12 out of the 20 members of the Metropolitan Police Committee are elected councillors.

None of the bodies are statutorily required to admit members of the public to their board or committee meetings, hold public meetings or have lay or consumer representatives on their boards.

Dr. Tony Wright: To ask the Secretary of State for the Home Department which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69976]

Mr. Straw: The Commission for Racial Equality and the Community Development Foundation admit members of the public to their meetings except, in the case of the former, where individual cases are being discussed. They also hold public meetings and conferences. The annual general meeting of the Police Information Technology Organisation is open to the public.

There are no "consumers" of the services provided by the bodies on their boards, but where necessary appointments are made to reflect a broad spread of interest and expertise and to introduce an element of independence.

The following executive Non Departmental Public Bodies operate some form of appeal complaints procedure:

Commission for Racial Equality

Criminal Cases Review Commission

Gaming Board for Great Britain

Horserace Totaliser Board

Data Protection Registrar

Parole Board

Police Information Technology Organisation.

There are also the Horserace Betting Levy Appeals Tribunal, the Criminal Injuries Compensation Board/Appeal Panel and the Data Protection Tribunal which deal with appeals in their respective areas.

None of the bodies are statutorily required to admit members of the public to their meetings, hold public meetings, have lay or consumer representatives on their boards or operate some form of appeal/complaints procedure.

Dr. Tony Wright: To ask the Secretary of State for the Home Department which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69947]

Mr. Straw: Apart from the Youth Justice Board for England and Wales which posts Summary reports of its meetings on its own website, none of the executive Non Departmental public bodies sponsored by my Department publish minutes of meetings or agendas and other Documents for meetings. However, the Commission for Racial Equality, Community Development Foundation and the Youth Justice Board would consider making them available on request.

The Horserace Totalisator Board and the Police Information Technology Organisation publish members' details in their annual reports. No other bodies publish registers of members' interests but they would be available from the organisations on request.

None of the bodies is statutorily required to publish minutes, agendas and other documents for meetings, or registers of interest.

Dr. Tony Wright: To ask the Secretary of State for the Home Department which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69833]

Mr. Straw: Apart from the Metropolitan Police Committee, which publishes the minutes of its meetings on the internet, none of the advisory Non Departmental public bodies sponsored by my Department publish minutes, agendas and other documents for meetings or registers of interest. Some are in the process of setting up registers of members' interests, in line with the commitment given in "Quangos: Opening the Doors", and will shortly have them in place.

None of the bodies are statutorily required to publish minutes of meetings, agendas and documents for those meetings, or registers of members interest.

Departmental Cash and Running Costs Limits

Mrs. Dean: To ask the Secretary of State for the Home Department what proposals he has for changes to the 1998–99 cash and running costs limits within his responsibilities. [71425]

Mr. Straw: Subject to Parliamentary approval of the necessary Supplementary Estimates, the cash limit for Class VII, Vote 1 (Home Office administration, police, probation, immigration and other services, England and Wales) will be increased by £11,258,000 from £4,833,790,000 to £4,845,048,000, the cash limit for Class VII, Vote 2 (Prisons, England and Wales) will be increased by £119,310,000 from £1,703,670,000 to £1,822,980,000 and the running costs limit will be increased by £49,311,000 from £1,887,431,000 to £1,936,742,000.

The changes in the Vote 1 cash limit are the net effect of the following transfers: £91,000 from the Lord Chancellor's Department, Class VIII, Vote 1, £66,000 from the Crown Prosecution Service, Class VIII, Vote 4 and £32,000 from the Prison Service, Class VII, Vote 2 in respect of contributions for the Integrated Business and Information Systems; £27,000 from the Prison Service, Class VII, Vote 2 in respect of the provision of internet services and contributions to the Prison/Probation Pilot Mentoring project; £25,000 to the Foreign and Commonwealth Office, Class II, Vote 1 in respect of contributions to the United Kingdom Special Representatives for International Drugs issues; £570,000 to the Foreign and Commonwealth Office, Class II, Vote 2, in respect of interdepartmental drugs prevention projects in Columbia and Pakistan; £84,000 from the Northern Ireland Office, Class XV Vote 1, in respect of the Criminal Cases Review Commission; £26,000 to the Lord Chancellor's Department, Class VIII, Vote 1 and £7,000 to Treasury

Solicitors, Class VIII, Vote 6, in respect of extending the Attorney-General's powers for referring unduly lenient sentences to the Court of Appeal; £1,251,000 to the Prison Service, Class VII, Vote 2 in relation to the transfer of responsibility for Boards of Visitors; £10,000 from the Department of Trade and Industry, Class V, Vote 1 for start up costs of the Telecom and Data Protection Directive; and £647,000 from Her Majesty's Treasury Consolidated Fund Standing Service for advance training costs for implementation of the European Elections Bill. The Supplementary Estimate will also provide for increase of £6,080,000 in respect of home detention curfew, £3,800,000 in respect of compensation for miscarriages of justice and £2,300,000 in respect of the National Identification Service.

The changes in the Vote 2 cash limit are the net effect of transfers to Vote 1 of £59,000 in respect of the provision of internet services, contribution for the Integrated Business and Information Systems and contributions to the Prison/Probation Pilot Mentoring project and a transfer from Vote 1 of £1,251,000 in relation to the transfer of responsibility for Boards of Visitors. The Supplementary Estimate will also provide for increases of £111,855,000 for increases in prison capacity, repairs to the prison estate and increased funding for regime activities to keep prisoners constructively occupied; £2,000,000 for work within prisons on the implementation of home detention curfew arrangements; and £13,263,000 to adjust the accounting treatment of Value Added Tax refunds on contracted-out services offset by increased receipt of £9,000,000 due to acceleration in the programme for the sale of staff housing.

The increase in the running costs limit is the net effect of payments from the Lord Chancellor's Department of £91,000 and the Crown Prosecution Service of £66,000 for the Integrated Business and Information Systems; payment of £25,000 to the Foreign and Commonwealth Office for the United Kingdom Special Representative for International Drugs issues; payments of £26,000 to the Lord Chancellor's Department and £7,000 to the Treasury Solicitor in respect of extending the Attorney-General's powers for referring unduly lenient sentences to the Court of Appeal; £460,000 reclassified from capital provision; increases of £10,000 for costs of the Edwards report, £2,580,000 for home detention curfew; £31,781,000 for increasing prison capacity, repairs and increased funding for regime activities, £118,000 in connection with transitional arrangements for a private finance initiative for the provision of heat energy to prisons, and £13,263,000 to adjust the accounting treatment of Value added Tax refunds on contracted-out services.

These increases will add £118,118,000 to the planned total of public expenditure.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70411]

Mr. Straw: I regret that the information requested is not available centrally. It will be collected as soon as possible from each of the Home Office entities and executive Non Departmental Bodies listed in chapter 7 of the National Assets Register. As soon as the information becomes available, I will write to the hon. Member.

Simon de Danser

Valerie Davey: To ask the Secretary of State for the Home Department what were the costs of *(a)* police and security, including convoys between prison and court, and *(b)* holding the defendants in prison, in connection with the Simon de Danser drugs case. [70648]

Mr. George Howarth: The cost to the Avon and Somerset Constabulary of escorting the prisoners to and from court was £161,124.35.

The total cost to the Prison Service of accommodating the prisoners and providing prison officers as escorts was £331,996.91. A separate figure for escorting costs cannot be provided as the cost of escort work is included in the cost per prisoner place at Bristol from which this figure has been calculated.

Regional Headquarters (South-west)

Mr. Steen: To ask the Secretary of State for the Home Department (1) what was the cost to public funds at the time of the compulsory purchase of land from the Squire family in order to build the Regional Headquarters for the South-west near Malborough, South Devon; and what was the cost of constructing and equipping the Headquarters for use; [69862]

(2) when he expects to reply to the letter of 31 December 1998 from the hon. Member for Totnes about the future of the Regional Government Headquarters for the South-west near Malborough, South Devon; [69863]

(3) what steps he is taking to ensure that the land on which the former Regional Government Headquarters for the South-west, Soan Mill, near Malborough, South Devon stood, is returned to the Squire family from whom it was compulsory purchased; [69864]

(4) what plans he has for the future use of the site of the former proposed Regional Government Headquarters for the South-west at Soan Mill Cove, Malborough, Kingsbridge, South Devon; and will he make a statement; [69866]

(5) what plans he has to demolish the former proposed Regional Government Headquarters at Soan Mill near Malborough, South Devon. [69867]

Mr. George Howarth: The site forms part of land that was acquired by the War Office under compulsory requisition provisions that prevailed during the last war. It was transferred to the Home Office in the 1960s. We are pursuing with the Ministry of Defence and our commercial agents in order to establish the cost of acquiring and adapting the site for use as a Regional Government Headquarters. I will cover these points when I reply to the hon. Gentleman's letter of 31 December, which I will do as soon as our inquiries are complete.

We have asked our agents to bring to an early conclusion the discussions regarding the extent of the land which can be offered back to the Squire family. We wish to be flexible as we can within the constraints on the former owner rules, which govern the sale of land acquired by compulsory purchase.

We have no plans to demolish any buildings on the site prior to disposal.

Prisoners (Early Release Scheme)

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what are the reasons for the delay in the release of prisoner DK 5193 from HM Prison, Leeds under the early release scheme; and if he will make a statement. [70646]

Mr. George Howarth: Prisoner DK5193 has been provisionally assessed as suitable for home detention curfew and will be placed on the scheme on 15 February 1999, provided that the curfew address remains available and suitable. This decision may be reviewed should his behaviour or other new information indicate that he is no longer appropriate for home detention curfew. Where, as in this case, the period between sentence and eligibility date is very short, it is often not possible to complete the thorough risk assessment process necessary until very shortly before the prisoner is eligible for home detention curfew.

Alcohol and Tobacco (Smuggling)

Mrs. Lait: To ask the Secretary of State for the Home Department how many vehicles impounded due to their involvement in tobacco and alcohol smuggling and bootlegging have been found to be *(a)* untaxed, *(b)* uninsured, *(c)* stolen and *(d)* driven by people with no driving licence or whose licences have been withdrawn in 1998. [70022]

Dawn Primarolo: I have been asked to reply.

I regret that no central record is kept.

DEFENCE

REME

Mr. Hoyle: To ask the Secretary of State for Defence (1) if he will make a statement on the availability of married officers quarters in Queensferry; [69330]

(2) what accommodation is available for *(a)* NCOs and *(b)* other ranks in Queensferry. [69331]

Mr. Doug Henderson: There is no Service Family accommodation in Queensferry. The nearest accommodation is some five miles away at Hawarden and RAF Sealand, where there are 23 houses for officers, of which two are currently empty, and 160 houses for NCOs and other ranks, of which 62 are currently empty.

Aircraft

Mr. Key: To ask the Secretary of State for Defence what percentage of RAF aircraft will be mission capable by 31 May. [68260]

Mr. Doug Henderson *[holding answer 3 February 1999]:* Under current plans, 100 per cent. of RAF aircraft will be mission capable by 31 May. An average of 82 per cent. of established aircraft are forecast to be available for service on this date, with the other 18 per cent. of aircraft forecast to be undergoing routine major maintenance off-base.

Correspondence

Mr. Viggers: To ask the Secretary of State for Defence when he expects to reply to the letter from the hon. Member for Gosport to the Minister of State for the Armed Forces on 12 January, requesting an urgent meeting with him and the Minister for Health to discuss the future of the Royal Hospital, Haslar. [70628]

Mr. Doug Henderson: I wrote to the hon. Member earlier this week.

Staff College, Camberley

Mr. Hawkins: To ask the Secretary of State for Defence if he will make a statement on *(a)* the plans to convert the Staff College, Camberley into luxury flats, *(b)* the status of the Staff College, Camberley as a war memorial and *(c)* its security position. [70542]

Mr. Spellar: The position remains as set out by my right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid), the then Minister of State for the Armed Forces, on 16 July 1998, *Official Report*, columns *237–38*. Options for the future of the former Staff College Buildings at Camberley are being studied. No proposals have yet been put to Ministers. Any decisions will clearly have to take into account both security requirements and the location of a war memorial in the Main Building.

Public Sector Pay Award

Mr. Blunt: To ask the Secretary of State for Defence what the implications are for other elements of the defence programme of the public sector pay award; and if he will make a statement. [70406]

Mr. Doug Henderson: The additional cost of the Service pay award will be contained within the Departmental Expenditure Limit announced in July 1998 and we will continue to meet the objectives and targets set out in the MOD's Public Service Agreements. The award reflects the Government's commitment—made during the SDR—to the people who deliver our defence.

Ministerial Visits

Mr. Hoyle: To ask the Secretary of State for Defence when Ministers in his Department next plan to visit *(a)* Chorley and *(b)* Queensferry. [69345]

Mr. Doug Henderson: My Ministerial colleagues and I have no plans at present to visit either but as I make regular visits to MOD establishments they could be included in a future visit.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for Defence if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70415]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Simon de Danser

Valerie Davey: To ask the Secretary of State for Defence who authorised the use of HMS York and the Special Boat Squadron to monitor the motor vessel Simon de Danser in May 1997; and what their use for this purpose cost. [70630]

Mr. Doug Henderson: I understand that in response to a request for assistance from HM Customs and Excise military assistance in support of this UK counter-drugs operation was authorised at Ministerial level by the previous Administration. The additional costs incurred by the Ministry of Defence, some £127K, were recovered from HM Customs and Excise.

EDUCATION AND EMPLOYMENT

Class Sizes

13. **Mr. Loughton:** To ask the Secretary of State for Education and Employment what representations he has received about class sizes in primary schools in West Sussex. [68884]

Mr. Charles Clarke: Since August last year the Department has received 12 representations from West Sussex about class size policy.

17. **Mr. Paterson:** To ask the Secretary of State for Education and Employment if he will make a statement on class sizes in primary schools. [68889]

Ms Estelle Morris: We have passed legislation to limit the size of infant classes for 5, 6 and 7-year-olds to 30 or under by September 2001 at the latest. We are providing £620 million which should enable the limit to be met in virtually all schools by September 2000. The limits apply to pupils in infant classes only. We have concentrated on these classes as it is in the early years that the benefit of smaller classes can have greatest effect.

24. **Mr. Derek Twigg:** To ask the Secretary of State for Education and Employment what measures he plans to introduce in respect of the additional funding for the reduction of class sizes to assist local education authorities and diocesan authorities. [68896]

Ms Estelle Morris: We will be providing a total of £560 million over the next three years to enable schools and local education authorities to employ additional teachers and build extra classrooms to reduce infant class sizes. That comes on top of the £67 million already allocated to reduce class sizes for over 100,000 infants from last September.

25. **Mr. Webb:** To ask the Secretary of State for Education and Employment when and for what reason he took the decision to cap the amount allowed per teacher in local education authority bids to reduce infant class sizes at £23,500. [68897]

Ms Estelle Morris: We have made clear that funding allocations will ensure that all local education authorities have sufficient resources to implement their class size plans as approved. We are working closely with authorities to reach agreed solutions which meet all our policy objectives and provide good value for money. Decisions about funding will reflect these priorities and the need to ensure equity across the country.

Schools (Business Involvement)

16. **Mr. St. Aubyn:** To ask the Secretary of State for Education and Employment if he will make a statement on the involvement of business in schools. [68887]

Mr. Charles Clarke: There are many opportunities for businesses and schools to work together to the benefit of both partners.

The hon. Gentleman will probably be aware of the many types of partnerships which exist generally, for example in work-related learning, governor programmes and systematic mentoring. He will also be aware of the partnerships which operate in an Education Action Zone and specialist schools programmes. We value the support of business in our drive to raise educational standards.

Grant-maintained Schools

19. **Mr. Chope:** To ask the Secretary of State for Education and Employment what representations he has received about funding in 1999–2000 for grant-maintained schools which become foundation schools. [68891]

Ms Estelle Morris: My right hon. Friend the Secretary of State has received a number of representations since we issued draft regulations on 20 October 1998, from both GM schools and from local education authorities.

Disability Rights Commission

20. **Mr. Savidge:** To ask the Secretary of State for Education and Employment if he will make a statement on his proposals for the establishment of a disability rights commission. [68892]

Ms Hodge: The establishment of the Disability Rights Commission is an important step towards meeting our manifesto commitment to support comprehensive and enforceable civil rights for disabled people. It will help disabled people secure their rights and it will provide a central source of information and advice to employers, and service providers. Subject to Parliament enacting the Disability Rights Commission Bill, we would expect the Commission to be established in Spring 2000.

Grammar Schools

21. **Mr. Steen:** To ask the Secretary of State for Education and Employment if he will make a statement on his plans for the future status of grammar schools. [68893]

Ms Estelle Morris: Our Manifesto said that parents would decide the future admission arrangements of grammar schools. The Education (Grammar School Ballot) Regulations, which came into force on 3 December 1998, set out the arrangements to deliver that commitment.

Teachers (Recruitment and Retention)

22. **Mr. Blizzard:** To ask the Secretary of State for Education and Employment what plans he has to make teaching a more attractive career. [68894]

Mr. Khabra: To ask the Secretary of State for Education and Employment what steps he is taking *(a)* to attract graduates into and *(b)* to raise the status of the teaching profession; and if he will make a statement. [68890]

Mr. Charles Clarke: In October 1998 we announced a package of measures to address particular recruitment difficulties, including financial incentives and funding for local recruitment advisers. Over time the proposals in the Teachers' Green Paper, 'teachers—meeting the challenge of change' will raise the status of the teaching profession, make it a more attractive profession and attract a greater share of the able and talented into teaching.

After-school Child Care Places

23. **Mr. Rapson:** To ask the Secretary of State for Education and Employment what progress he has made on developing after-school child care places. [68895]

Ms Hodge: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Cleethorpes (Shona McIsaac) today, *Official Report*, column 452.

Education Services (Torbay)

26. **Mr. Sanders:** To ask the Secretary of State for Education and Employment if he will make a statement on the effect of the 1999–2000 revenue support grant on the provision of educational services in Torbay. [68898]

Ms Estelle Morris: Education services in Torbay should benefit from the underlying increase of £3.4 million or 7.3 per cent. in Torbay's education standard spending assessment for 1999–2000. These figures illustrate the effect of allowing for local authority changes of function and taking account of new arrangements for funding music and student support.

Education Services (Sheffield)

27. **Mr. Allan:** To ask the Secretary of State for Education and Employment if he will make a statement on the effect of the 1999–2000 revenue support grant on the provision of educational services in Sheffield. [68899]

Ms Estelle Morris: Education services in Sheffield should benefit from the underlying increase of £11.1 million or 6 per cent. in Sheffield's education standard spending assessment for 1999–2000. These figures illustrate the effect of allowing for local authority changes of function and taking into account of new arrangements for funding music and student support.

Learning Direct

28. **Mr. Chaytor:** To ask the Secretary of State for Education and Employment what plans he has to extend and improve the services of Learning Direct. [68900]

Mr. Mudie: The Department intends to increase Learning Direct's capacity so it can handle 1.5 million calls a year by 2000–01. To do this we are in the process of extending our current call centre and have invited expressions of interest from organisations to operate additional call centres. From our ongoing evaluation, we know over 91 per cent. of all callers to the helpline think the overall quality of the service is good. However, the service is under constant review. We are currently improving the databases used by Learning Direct and are developing better management information systems. We further plan to make the Learning Direct data available on the Internet.

Pupil Mobility

29. **Ms Stuart:** To ask the Secretary of State for Education and Employment when he expects to receive the findings of the research commissioned by his Department on high pupil mobility. [68901]

Mr. Charles Clarke: The research into pupil mobility, currently being undertaken by University College, London, is partly funded by this Department and partly funded by the Nuffield Foundation. The complete project is due to conclude in June 2000, but under the terms of the Department's contract, a report containing an overview of interim findings should be available by the end of June 1999.

Employment Zones

30. **Mr. Watts:** To ask the Secretary of State for Education and Employment what plans he has to increase the number of employment zones. [68902]

Mr. Andrew Smith: On 2 February my right hon. Friend the Secretary of State and I announced our future plans for Employment Zones. From April 2000, Employment Zones will target available resources more flexibly and effectively on unemployed people over 25 in at least 12 areas of the country which suffer from persistently high long-term unemployment.

Initially, Employment Zones will operate in Southwark, Nottingham City, Newham, Haringey, Doncaster, Plymouth, Tower Hamlets, Brent, Birmingham, Liverpool and Sefton, Brighton and Hove, Middlesbrough, Redcar and Cleveland.

My right hon. Friends the Secretaries of State for Scotland and for Wales announced separately that zones would also operate in Glasgow and in Anglesey; Gwynedd; Conwy and Denbighshire and Blaenau Gwent; Merthyr and Caerphilly.

Schools Investment (Birmingham)

31. **Mr. Burden:** To ask the Secretary of State for Education and Employment what representations he has received regarding the level of capital investment in Birmingham schools. [68903]

Ms Estelle Morris: My right hon. Friend the Secretary of State received a letter of 8 January from the Leader of Birmingham City Council asking how the Council's Annual Capital Guideline had been calculated, to which he has responded.

Education Services (Kingston)

32. **Mr. Edward Davey:** To ask the Secretary of State for Education and Employment if he will make a statement on the effect of the 1999–2000 revenue support grant on the provision of educational services in the Royal Borough of Kingston. [68904]

Ms Estelle Morris: Education services in Kingston should benefit from the underlying increase of £2.7 million or 5.2 per cent. in Kingston's education standard spending assessment for 1999–2000. These figures illustrate the effect of allowing for local authority changes of function and taking account of new arrangements for funding music and student support.

Young Unemployed

33. **Jacqui Smith:** To ask the Secretary of State for Education and Employment what progress is being made to secure employer involvement in the new deal for the young unemployed. [68905]

Mr. Andrew Smith: I am delighted that almost 40,000 employers have signalled their support for New Deal by signing Employer Agreements. These agreements are leading to real job opportunities for unemployed young people, over 57,000 of whom have found work through New Deal.

School Meals

34. **Mr. Lock:** To ask the Secretary of State for Education and Employment by what means education authorities which do not operate a school meals service determine for the purposes of deprivation statistics the number of children in their area who would be entitled to free school meals; and if he will make a statement. [68907]

Mr. Charles Clarke: All Local Education Authorities are required to provide a school meal service to those pupils entitled to free school meals. Information on the number of pupils known to be eligible and the number of pupils taking free school meals is derived from returns made by schools to the Department in January each year on the Annual Schools' Census (Form 7).

The number of pupils eligible and taking free school meals is published by Local Education Authority area in the "Statistics of Education, Schools in England, January 1998", published in November 1998.

Education Services (Sutton)

35. **Mr. Brake:** To ask the Secretary of State for Education and Employment if he will make a statement on the effect of the 1999–2000 revenue support grant on the provision of educational services in the London borough of Sutton. [68908]

Ms Estelle Morris: Education services in Sutton should benefit from the underlying increase of £4.6 million or 6.2 per cent. in Sutton's education standard spending assessment for 1999–2000. These figures illustrate the effect of allowing for local authority changes of function and taking account of new arrangements for funding music and student support.

Lone Parents (Employment Opportunities)

36. **Mrs. Irene Adams:** To ask the Secretary of State for Education and Employment if he will make a statement on his proposals to enable single women with children to take up employment opportunities. [68909]

Ms Hodge: For the first time lone parents are being given the same work opportunities as everyone else. The New Deal for Lone Parents, which became available nationwide on 26 October 1998, offers all lone parents on Income Support a personal adviser service to help them overcome the barriers to employment.

The support available includes help and advice with looking for a job, accessing training opportunities, finding child care and information about benefits.

We have committed £470 million to the National Childcare Strategy to help us realise our vision of high quality, affordable child care available in every neighbourhood, enabling parents to take up opportunities of work, education or training.

We are also committed to ensuring that the tax and benefits system takes account of the specific difficulties and extra costs some families face on account of their children. The introduction of the Working Families Tax Credit incorporating child care tax credit in October this year will provide £4.3 billion of help to around 1.4 million working families.

Tuition Fees

37. **Sir Teddy Taylor:** To ask the Secretary of State for Education and Employment what estimate he has made of the savings in public funding in the current financial year from the introduction of tuition fees. [68911]

Mr. Mudie: Far from leading to savings in public funding, the introduction of private contributions to tuition fees has generated additional income for higher education institutions in England in 1998–99 of an expected £130 million, which will be retained by the institutions concerned.

Health Hazards (Pupils)

Mr. Bob Russell: To ask the Secretary of State for Education and Employment what research his Department has carried out or evaluated to assess the health hazards for pupils required to carry heavy bags of books to and from school, and between lessons; and if he will make a statement. [70190]

Mr. Charles Clarke: The Department has not carried out or evaluated any research to assess the health hazards for pupils required to carry heavy bags of books to and from school and between lessons.

New Deal

Mr. Green: To ask the Secretary of State for Education and Employment what money was spent on producing and distributing, "The New Deal: From Policy to Practice, Ideas in Action". [70550]

Mr. Andrew Smith: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Damian Green, dated 11 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your question about the money spent on producing and distributing, The New Deal: Policy to Practice, Ideas in Action. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

The document was produced as a result of requests from New Deal partnerships who were keen to learn how others have tackled New Deal issues. This document was distributed and has been well received by all Employment Service Local, District and Regional offices, Government Offices, strategic partners, local authorities, MPs and a wide variety of external partners.

The cost of the design and printing of 10,000 copies of The New Deal: From Policy to Practice, Ideas in Action was just over £15,000. The final invoicing for distribution has not yet been received, however, it is estimated to be almost £4,300.

I hope this is helpful.

Secondary Schools

Mr. Waterson: To ask the Secretary of State for Education and Employment what is his Department's policy on the introduction of five-term years in secondary schools; and if he will make a statement. [68888]

Ms Estelle Morris: Decisions about the number, length and dates of schools' terms and holidays are taken at local level, not by central Government. A five-term year can be introduced within the present legal framework.

Absenteeism and Truancy

Mr. Cohen: To ask the Secretary of State for Education and Employment what plans he has to increase the responsibilities of education welfare officers in respect of absenteeism and truancy. [68910]

Mr. Charles Clarke: Education Welfare Officers have a long history of working closely with schools and families to promote regular attendance. My right hon. Friend the Secretary of State recently issued for consultation new draft guidance, "Social Inclusion: Pupil Support", which includes a section specifically concerned with the role of Education Welfare Officers; we look forward to responses to that.

Further Education Colleges

Mr. Chaytor: To ask the Secretary of State for Education and Employment what was the average budget allocated to continuing professional development in further education colleges *(a)* in cash terms and *(b)* as a percentage of the total budget in each of the last three years. [69044]

Mr. Mudie: Currently there are no national data available on expenditure for staff development in FE college. Inspection reports published by the Further Education Funding Council Inspectorate since 1993 have quoted the allocations made to staff development activities as ranging from 0.15 per cent. to over 2 per cent. of institutions' income.

The Government are investing £150 million in the FE Standards Fund over the next two years and one of the priorities for expenditure under this is training for principals and continuing professional development for lecturers.

Mr. Chaytor: To ask the Secretary of State for Education and Employment (1) how many staff in further education colleges were employed on senior lecturer grades in each of the last five years; [69046]

(2) how many further education colleges have not provided a pay increase to *(a)* teaching and *(b)* support staff in each of the last three years. [69045]

Mr. Mudie: The information requested is not collected centrally.

Nursery Education

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the targets his Department has set for each local authority for nursery provision for three year olds. [70643]

Ms Hodge: The following table shows the proposed targets for 1999–2000 for additional, free early education places for three-year-olds in all sectors which have been set for the 50 Local Education Authority areas with greatest social need. Some £40 million is available to support these places; additional funding will be distributed across all authorities in 2000–01.

Local education authority	*Target additional places*	*Funding available for places and training £*
Barking and Dagenham	262	224,945
Barnsley	885	712,766
Birmingham	6,059	4,851,595
Blackburn with Darwen	887	707,823
Blackpool	1,058	832,995
Bolton	748	616,411
Bradford	1,220	1,022,797
Brent	1,017	820,534
Camden	831	663,410
Coventry	1,384	1,110,803
Doncaster	782	644,683
Ealing	410	358,855
Gateshead	625	508,343
Greenwich	821	668,891
Hackney	1,444	1,152,735
Halton	713	567,477
Hammersmith and Fulham	744	597,570
Haringey	704	578,683
Hartlepool	0	16,506
Islington	1,043	834,601
Kingston upon Hull	460	392,309
Knowsley	65	79,435
Lambeth	1,646	1,315,337
Leeds	1,247	1,061,853
Leicester	1,412	1,139,121
Lewisham	1,566	1,247,350
Liverpool	1,853	1,508,063
Manchester	1,386	1,147,048
Middlesbrough	7	32,055
Newcastle upon Tyne	1,210	972,403
Newham	1,618	1,296,875
Nottingham	1,016	830,671
Oldham	1,086	872,358
Redcar and Cleveland	14	36,083
Rochdale	1,042	836,897
Rotherham	1,305	1,040,590
Salford	311	274,151
Sandwell	466	408,489
Sheffield	2,565	2,047,148
South Tyneside	73	77,763
Southwark	958	782,493
St. Helens	725	582,617
Stockton-on-Tees	11	39,095
Stoke-on-Trent	614	509,289
Sunderland	850	698,369
Tower Hamlets	275	247,113
Walsall	102	121,956
Waltham Forest	1,562	1,240,493
Wandsworth	1,601	1,276,377
Wolverhampton	100	115,937

Child Care

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) if he will list by local authority from information supplied in early years development and childcare plans submitted to his Department, how many additional 0–2 years childcare places there will be overall, and, of these, how many will be *(a)* full-time, *(b)* part-time, *(c)* fully funded from the National Childcare Strategy and *(d)* dependent on other sources of funding; and if he will make a statement; [70667]

(2) if he will list by local authority, from information supplied in early years development and childcare plans submitted to his Department, how many additional before and after school places may be expected overall, and, of these, how many will be *(a)* fully subsidised from central Government funds, *(b)* partly subsidised from central Government funds and *(c)* unsubsidised. [70668]

Ms Hodge: This information is not yet to hand. I will write to the hon. Member as soon as information is available and will place a copy of the letter in the Library.

Rainsford School, Chelmsford

Mr. Burns: To ask the Secretary of State for Education and Employment what applications he has received from the Governors of Rainsford School, Chelmsford, to sell part of their school playing fields. [70359]

Ms Estelle Morris: My right hon. Friend, the Secretary of State, has not received any application from the governing body of Rainsford School to sell part of its playing fields. The governing body is aware that it must obtain my right hon. Friend's consent before it can sell any land, including school playing fields.

Physics Students

Mr. Dalyell: To ask the Secretary of State for Education and Employment if he will make a statement of the number of students studying physics, indicating those studying *(a)* radioactivity and *(b)* nuclear physics. [68999]

Mr. Mudie: The number of students studying physics in UK higher education institutions in 1997–98, the latest year for which data are available, is shown in the following table:

Physics students¹ in UK higher education institutions 1997–98

Level	*Full-time*	*Part-time*	*Total*
Postgraduate	2,543	1,452	3,995
Undergraduate	9,731	256	9,987
Total	12,274	1,708	13,982

¹ Enrolments on HE courses as at 1 December 1997

It is not possible to separately identify those studying radioactivity or nuclear physics.

Mature Students

Mr. Green: To ask the Secretary of State for Education and Employment what estimate he has made of the number of students over the age of 25 years applying for university places for the academic years *(a)* 2000–01 and *(b)* 2001–02. [70547]

Mr. Mudie: The planned number of students underlying the funding plans for higher education are not disaggregated by age groups. However, the funding plans announced on 8 December 1998 will allow for 61,000 extra students in 2000–01 compared with planned numbers for 1998–99 and for an extra 100,000 students in 2001–02 compared with 1997–98. The planned additional 61,000 students in 2000–01 include 37,000 part-time students, of whom the majority are likely to be mature students.

Training Review

Mr. Green: To ask the Secretary of State for Education and Employment when he proposes to publish the outcome of the review of TECs and CCTEs—chambers of commerce, training and enterprise. [70552]

Mr. Mudie: We hope to announce the outcome of the TEC Review shortly.

PRIME MINISTER

Overseas Visits

Mr. Maclean: To ask the Prime Minister, pursuant to his answer of 18 January 1999, *Official Report*, column *343*, on overseas visits, what were the costs of flights to New York; how many people travelled with him; and if he will make a statement. [67401]

The Prime Minister: The costs of the visit to New York in June 1997 were fully accounted for in the reply I gave to the hon. Member for Arundel and South Downs (Mr. Flight) on 14 July 1997, *Official Report*, column *46*.

For the visit in September 1997, I travelled on a scheduled flight to New York by Concorde, and was accompanied by four members of my office. In order to attend the United Nations General Assembly, which began with a speech by President Clinton at 10.30a.m., this was judged the most efficient cost effective way of travelling. This is one of the 14 occasions, I and 8 of my Ministers have used scheduled flights on Concorde since May 1997 and compares with 11 Ministers on a total of 13 occasions during the last two years of the previous Administration.

For the return trip, I and five members of my office returned on a scheduled British Airways 747. The usual number of security and secure telecommunications staff accompanied me on both flights.

The cost of the flights to New York in September totalled £56,000. This is part of this Government's expenditure on visits overseas of £6.1 million for the period 1 May 1997 to 31 March 1998. By comparison, in the last year of the previous Administration, expenditure on overseas visits was £7.8 million.

Departmental Running Costs and Cash Limits

Miss Melanie Johnson: To ask the Prime Minister what proposals he has to change the Cabinet Office security and intelligence services cash limits for 1998–99. [71262]

The Prime Minister: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVIII, Vote 2 will be increased by

£1,880,000 from £707,906,000 to £709,786,000 and the gross running costs limit increased by £3,059,000 from £375,993,000 to £379,052,000.

This change is to take on board transfers of; £310,000 to the Scottish Office Class XIII, Vote 5; £3,500,000 to the Inland Revenue Class XVI, Vote 4; take up of running costs end year flexibility of £5,690,000 as announced by the Chief Secretary of the Treasury on 14 July 1998, *Official Report*, columns *131–36*.

There will be an increase in Appropriation in Aid of £14,495,000 resulting from changes in accounting procedures and a net increase in other current expenditure payments of £25,878,000.

The increases will be offset by transfers, and charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

NATO (Membership)

Mr. Mackinlay: To ask the Prime Minister how he intends to mark the accession to NATO membership of *(a)* Poland, *(b)* Hungary and *(c)* the Czech Republic. [70423]

The Prime Minister: The three invited countries will join NATO simultaneously in early to mid-March. The precise date is not yet decided. Their accession will be marked by ceremonies at NATO Headquarters in Brussels and in Washington. The Heads of State and government of the invited countries will be welcomed by existing Allies as they take their places alongside their colleagues in the Alliance at NATO's 50th anniversary Summit in Washington on 23–25 April.

INTERNATIONAL DEVELOPMENT

EU Aid

Audrey Wise: To ask the Secretary of State for International Development which country receives most overseas development aid from the European Union; and if she will make a statement on how the priorities for aid are determined. [69898]

Clare Short: In 1997, the latest year for which figures are available, Bosnia Herzegovina received most EU official development assistance, £132.34 million in EU official development assistance, which the share attributed to the UK was 15.12 per cent.

The Government inherited from the previous Administration a situation in which EC aid spending is both skewed against the poorer countries and often of poor quality. In December we published and placed in the Library our strategy to improve that performance. We are actively seeking support for our strategy in the Commission and the European Parliament and among Member States.

North Korea

Ms Buck: To ask the Secretary of State for International Development what assistance the British Government have provided to relieve the famine in North Korea. [70219]

Clare Short: The main causes of shortages of food and other basic needs in North Korea arise from its economic policies, though the problems were exacerbated by natural disasters in the mid-1990s.

Following the UK-led mission to North Korea last May during the UK Presidency, we are working with our European Union partners to provide, through the European Commission, a programme of food aid and related measures to enhance food security. In 1998 this assistance was worth about £21 million, of which UK's attributable share was about £3 million. We also support efforts to maintain a constructive dialogue with the North Korean authorities to ensure that aid is used effectively.

We have recently initiated a complementary bilateral programme of humanitarian assistance in North Korea. $1 million (about £625,000) will be provided through the United Nations Development Programme to support selected activities within the Agricultural Recovery and Environmental Protection (AREP) programme. We are allocating a similar amount to support humanitarian projects managed by British non-governmental organisations which are already established in the country.

Departmental Cash Limits

Ms Jenny Jones: To ask the Secretary of State for International Development what changes will be made to the cash limits for her Department for 1998–99. [71261]

Clare Short: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class III, Vote 1 will be increased by £143,758,000 from £1,633,307,000 to £1,777,065,000.

	£
Take up of end of year flexibility in respect of an underspend against the 1996 EC attributed aid	113,758,000
Claim on the Reserve in respect of the Central American Trust Fund	10,000,000
Increase in respect of a reduction in CDC's EFL to account for additional funds given to CDC at the end of last financial year	20,000,000
Increase in Vote Cash limit	143,758,000

The increases will be offset by transfers and a claim on the Reserve and therefore will not add to the planned total of public expenditure.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for International Development if she will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if she will give in each case the amount of money realised; if she will estimate the total cash raised from such sales to date; and if she will make a statement. [70421]

Mr. Foulkes: None of the items listed in the National Assets Register of November 1997 in respect of the Department for International Development (DFID) have been sold. DFID is not a capital intensive organisation and as such our capital baseline is relatively stable and turnover of assets relatively slow in comparison with others.

HEALTH

Physiotherapy

Helen Jones: To ask the Secretary of State for Health (1) how many physiotherapy posts are currently vacant in *(a)* England and Wales, *(b)* the North West and *(c)* North Cheshire Health Authority; and in each case what percentage of the total number of posts this vacancy level represents; [66831]

(2) how many paediatric physiotherapy posts are currently unfilled in *(a)* England and Wales, *(b)* the North West region and *(c)* North Cheshire Health Authority. [66829]

Mr. Denham *[holding answer 21 January 1999]:* Information on vacancy rates for physiotherapists is not available centrally. For the information that is available on physiotherapy vacancy rates up to March 1997, I refer my hon. Friend to the 1998 annual report of the Review Body for Nursing staff, Midwives, Health Visitors and Professions Allied to Medicine, copies of which are available in the Library.

Helen Jones: To ask the Secretary of State for Health what in each of the past five years, was the percentage of students completing physiotherapy training who took up employment in the NHS. [66833]

Mr. Denham *[holding answer 21 January 1999]:* The information requested is not available centrally. For the information that is available on students completing physiotherapy training, my hon. Friend may wish to contact the Chartered Society of Physiotherapy. For the information that is available on physiotherapists who take up employment in the National Health Service, I refer my hon. Friend to the Reports of the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine, copies of which are available in the Library.

Helen Jones: To ask the Secretary of State for Health what was the total expenditure on agency physiotherapy staff in *(a)* England and Wales, *(b)* the North West region and *(c)* North Cheshire Health Authority in each of the past five years. [66830]

Mr. Denham: The information requested is not available in the form requested. The tables contain the total expenditure (1997–98 prices) on agency professions allied to medicine for the years 1993–94 to 1996–97 and agency scientific, therapeutic and technical staff for 1997–98 not employed directly by individual National Health Service trusts and health authorities. Expenditure on agency professions allied to medicine and scientific, therapeutic and technical staff by North Cheshire Health Authority for the years 1993 to 1998 is nil. Questions relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Total expenditure on professions allied to medicine 1993–94 to 1996–97 and scientific, therapeutic and technical staff for 1997–98 not employed directly by individual NHS trusts and health authorities

(1997–98) prices

		Health authority expenditure (£)	*NHS trust expenditure (£)*	*Total expenditure (£)*
(a) England				
1997–98	Scientific, therapeutic and technical staff	859,098	68,539,903	69,399,001
1996–97	Professions allied to medicine	783,852	34,452,623	35,236,475
1997–96	Professions allied to medicine	390,478	26,367,092	26,757,570
1994–95	Professions allied to medicine	2,390,596	16,773,898	19,164,494
1993–94	Professions allied to medicine	4,487,217	9,250,462	13,737,679
(b) North West Region				
1997–98	Scientific, therapeutic and technical staff	736,284	4,089,925	4,826,209
1996–97	Professions allied to medicine	0	2,017,288	2,017,288
1995–96	Professions allied to medicine	3,814	934,553	938,367
1994–95	Professions allied to medicine	0	574,537	574,537
1993–94	Professions allied to medicine	186,515	418,672	605,187

Source:

Annual financial returns of health authorities

Annual financial returns of NHS trusts

Accident and Emergency Departments

Mr. Cann: To ask the Secretary of State for Health what is his target for investment in the modernisation of accident and emergency departments during 1999. [69586]

Mr. Denham: I refer my hon. Friend to the reply given to my hon. Friend the Member for Wirral, South (Mr. Chapman) on 2 February 1999, *Official Report,* column *573.*

New Deal (Disabled People)

Ms Southworth: To ask the Secretary of State for Health what mechanisms are in place to assess the effect of geographical variations in access to, and quality of, disablement services on access by disabled people to *(a)* the New Deal and *(b)* Welfare to Work. [69584]

Mr. Hutton: All the New Deal initiatives are subject to full evaluation. As part of each evaluation we will be able to identify whether there is a geographical variation in the effectiveness of Welfare to Work for a range of groups including disabled people.

Ms Southworth: To ask the Secretary of State for Health what meetings he has had with colleagues in other departments to discuss the effect of geographical variations in access to, and the quality of, disablement services on access by disabled people to *(a)* the New Deal and *(b)* Welfare to Work. [69585]

Mr. Hutton: My hon. Friends the Members for Barking (Mrs. Hodge) and City of York (Mr. Bayley), the Parliamentary Under-Secretaries of State for Education and Employment and for Social Security and I will be meeting shortly to discuss how local health, employment and social services can work together through the various New Deal initiatives to improve the employment prospects of disabled people. In addition, a cross Departmental group of officials from the Departments of Health, Education and Employment and Social Security meets regularly to ensure effective liaison over the welfare to work agenda.

Departmental Efficiency Gains

Mr. Willis: To ask the Secretary of State for Health what plans he has to express efficiency gains as a percentage of his departmental budget; and if he will make a statement. [69629]

Mr. Denham: The planned efficiency gains are set out in the Department's Public Service Agreement at paragraph 4, chapter 4 of '*Public Services for the Future: Modernisation, Reform, Accountability*' (Cm4181).

Medical Aids

Mr. Berry: To ask the Secretary of State for Health (1) how statistics on *(a)* prostheses, *(b)* orthoses, *(c)* wheelchairs and *(d)* electronic assistive devices are used to facilitate (i) clinical governance, (ii) the dissemination of good practice, (iii) performance management and (iv) cost-effectiveness within disablement services; [69665]

(2) how many *(a)* prostheses, *(b)* orthoses, *(c)* wheelchairs and *(d)* electronic assistive devices were supplied by the NHS in each of the last three years. [69664]

Mr. Hutton: There are no statistics collected on prostheses, orthoses or electronic assistive devices. The only data collected centrally on the number of wheelchairs issued are for electrically-powered indoor/outdoor wheelchairs. The total number of these issued so far to users is:

1996–97: 714

1997–98: 4,308

1998–99: 2,022.

Data are collected on the number of vouchers issued to users through the wheelchair voucher scheme and the number of these issued so far to users is:

1997–98: 811

1998–99: 1,550.

Issues of clinical governance and performance management are managed locally, and dissemination of good practice is coordinated through regional offices of the National Health Service Executive.

Local Government Finance

Ms Buck: To ask the Secretary of State for Health if he will list the *(a)* grants and *(b)* other financial support given by his Department to (i) Westminster City Council and (ii) the Royal Borough of Kensington and Chelsea, other than through the RSG settlement, in (1) 1997–98, (2) 1998–99 and (3) planned for 1999–2000; and for what purposes the funds were allocated. [70157]

Mr. Hutton: The information is shown in the tables.

Westminster

£

Description	*1997–98*	*1998–99*	*1999–2000*
Capital			
Private Finance Initiative Credits	—	4,500,000	—
Annual Capital Guidelines	287,000	215,000	217,000
Supplementary Credit Approvals: AIDS/HIV	250,000	250,000	—
Supplementary Credit Approvals: Mental Illness	180,000	120,000	
Specific and special grants			
AIDS/HIV Support Grant	800,000	770,000	—
Alcohol and Drug Misusers Grant	61,744	27,421	—
Training Support Programme	215,091	206,361	126,476
Mental Health Grant (previously Mental Illness Specific Grant)	1,274,835	1,192,401	796,541
Guardian ad Litem and Reporting Officer Services Grant	28,784	—	—
Community Care Special Transitional Grant	2,304,652	2,170,586	
Unaccompanied Asylum-Seeking Children's Grant	441,179	—	—
Persons from Abroad Children's Grant	2,835,433	—	—
Asylum-Seekers' Accommodation Grant	3,809,388	—	—
Promoting Independence: Partnership Grant	[4]—	[4]—	1,755,000
Promoting Independence: Prevention Grant	[4]—	[4]—	146,000
Promoting Independence: Carers' Grant	[4]—	[4]—	—
Children's Social Services (Quality Protects) Grant	[4]—	32,500	775,000

[1] Not bid for

[2] Not yet decided

[3] Programme ceases

[4] Programme did not exist

Kensington and Chelsea

£

Description	*1997–98*	*1998–99*	*1999–2000*
Capital			
Annual Capital Guidelines	224,000	166,000	166,000
Supplementary Credit Approvals: AIDS/HIV	200,000	20,000	—
Supplementary Credit Approvals: Mental Illness	115,000	162,000	—
Specific and special grants			
AIDS/HIV Support Grant	890,000	760,000	—
Alcohol and Drug Misusers Grant	68,378	53,222	—
Training Support Programme	162,939	160,254	140,756
Mental Health Grant (previously Mental Illness Specific Grant)	929,082	895,514	692,769
Guardian ad Litem and Reporting Officer Services Grant	20,520	—	—
Community Care Special Transitional Grant	1,509,005	1,413,818	—
Unaccompanied Asylum-Seeking Children's Grant	255,613	—	—
Persons from Abroad Childrens Grant	1,276,670	—	
Asylum-Seekers' Accommodation Grant	2,121,672	—	—
Promoting Independence: Partnership Grant	—	—	1,162,000
Promoting Independence: Prevention Grant	—	—	103,000
Promoting Independence: Carers' Grant	—	—	—
Children's Social Services (Quality Protects) Grant	—	32,500	560,000

[1] Not yet decided

[2] Programme ceased

[3] Programme did not exist

Alcohol and Tobacco

Mrs. Lait: To ask the Secretary of State for Health what evidence he has evaluated of changes in the level of consumption of alcohol and tobacco by people *(a)* under and *(b)* over 18 years of age; and what assessment he has made of the cause of those changes. [70020]

Ms Jowell: Levels of consumption of alcohol and tobacco are measured in surveys carried out by the Office for National Statistics, on behalf of the Department. The results are presented and discussed in Statistics reports "Living In Britain—results from the 1996 General Household Survey", "Smoking among secondary school children in 1996: England" and "Young teenagers and alcohol 1996". Copies of these reports are available in the Library.

Mrs. Lait: To ask the Secretary of State for Health what discussions have been held at meetings of EU health ministers on the implications for the health of EU residents of differences in excise duty on tobacco and alcohol; and at which meetings he has raised this issue. [70019]

Ms Jowell: In December 1996 the European Commission published its communication on the role of the Community in combating tobacco consumption, which considered a range of options for possible future action at Community level, including the level of excise duty on tobacco within Member States. I ensured that smoking reduction was discussed at the Health Council on 30 April 1998 during the United Kingdom Presidency. The Health Council has kept the issue under review since then. The Health Council has not discussed the issue of excise duty on alcohol during this period.

CFS/ME

Mr. Reed: To ask the Secretary of State for Health (1) what plans he has to increase the number of specialist chronic fatigue syndrome/ME units for *(a)* children and *(b)* adults; [70163]

(2) how many people are currently on the waiting lists for specialist chronic fatigue syndrome/ME units; [70162]

(3) if he will list the specialist units which provide services to chronic fatigue syndrome/ME patients. [70161]

Ms Jowell: The information is not available in the form requested. The organisation of health services, including services for people suffering from chronic fatigue syndrome/myalgic encephalomyelitis, and the manner in which they are delivered are matters for National Health Service trusts and health authorities, taking account of the needs of the local population and the priorities set for the use of the available resources.

Contact Lenses

Mr. Reed: To ask the Secretary of State for Health what representations he has received about the sale of non-prescription contact lenses; and if he will make a statement. [70166]

Mr. Denham: Only plano lenses may be sold without prescription. Both ophthalmologists and opticians have let us know of their concern that the fashion for wearing plano tinted contact lenses could endanger eye health unless retailers know how to fit and care for the lenses. Retailers are required to provide appropriate advice to the purchaser on the care, maintenance warnings and precautions as well as the use of the products they sell. The Department of Trade and Industry is responsible for enforcement under the Consumer Protection Act 1987 and the Department's Medical Devices Agency will provide advice as necessary.

Disabled People (Parking Spaces)

Mr. Bob Russell: To ask the Secretary of State for Health what advice his Department gives to hospital trusts on the provision of parking spaces for disabled people. [69669]

Mr. Denham: National Health Service Estates, an executive agency of the Department, provides building guidance to the NHS, principally through the Health Building Note (HBN), Health Technical Memoranda (HTM) and Health Facilities Note (HFN) series of documents. These represent best practice guidance, and through their adoption NHS trusts and health authorities should comply with current legislation affecting disabled people.

NHS Estates has published specific guidance in: HFN 14 "Disability Access" (1996); HFN 21 "Car Parking" (1996); and HBN 40 "Common Activity Spaces, Volume 1: Public Areas" (1995), and Appendix 1 "Checklist of access and facilities for disabled people". This guidance examines the concept of accessibility for all, including car parking, with particular emphasis on the problems that face people with a disability.

In February 1999, the NHS Executive will issue "Doubly Disabled—Equality for Disabled People in the new NHS—Access to Services". This guidance gives advice on accessibility for disabled people including "Transport, cars and parking". An access audit tool has also been developed by the NHS Executive, in partnership with NHS Estates Agency, and will be available to all NHS bodies in spring 1999.

Schoolchildren (Bags)

Mr. Bob Russell: To ask the Secretary of State for Health what research his Department has carried out or evaluated to assess the health hazards for pupils required to carry heavy bags of books to and from school, and between lessons; and if he will make a statement. [70191]

Ms Jowell: This Department has not carried out nor evaluated any such research.

Anti-D Injections

Jacqui Smith: To ask the Secretary of State for Health what guidance his Department has issued on the use of anti-D injections for rhesus negative mothers; and if he will make a statement. [70152]

Mr. Hutton: The Department has commissioned evidence based guidelines for the use of anti-D from the Royal College of Obstetricians and Gynaecologists which will be available shortly.

Jacqui Smith: To ask the Secretary of State for Health what record his Department keeps of the number of anti-D injections administered in the last 10 years; and if he will make a statement. [70153]

Mr. Hutton: Exact figures are not available centrally but an estimated 75,000 women in the United Kingdom are annually eligible for anti-D injections.

Jacqui Smith: To ask the Secretary of State for Health what progress has been made in securing plasma for anti-D from non-UK sources. [70151]

Mr. Hutton: Anti-D made from non-United Kingdom plasma will be available from the National Blood Authority's Bio Products Laboratory in April/May. Two other manufacturers have Anti-D products made from non-UK plasma which are licensed in the UK. Supplies of these are being made available.

Midwives

Mr. Viggers: To ask the Secretary of State for Health how long are the courses leading to *(a)* a diploma in midwifery and *(b)* a degree in midwifery; how much are the fees for such courses; and how the cost of the fees is allocated between the employer and the employee within the NHS. [70147]

Mr. Denham: Courses leading to a diploma in midwifery last 3 years. Courses leading to a degree last either 3 or 4 years. For those who already hold a registered nursing qualification there is also a 78 week programme in midwifery.

The fees for midwifery degree or diploma courses vary from university to university. Where courses are commissioned by the National Health Service, students' fees are met in full from the non-medical education and training levy.

Mr. Viggers: To ask the Secretary of State for Health how many midwives have been appointed to primary care management groups. [70149]

Mr. Denham: Primary care group boards contain nurses who have a range of broad-based skills and specialities, including midwifery. Additional nurses with specialist skills have also been co-opted onto the boards.

Hepatitis C

Mr. Wigley: To ask the Secretary of State for Health what progress has been made with regard to compensating persons infected with hepatitis C as a result of NHS treatment; and if he will make a statement. [70051]

Mr. Hutton: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Bolsover (Mr. Skinner) on 17 November 1998, *Official Report,* columns 697–98.

Audrey Wise: To ask the Secretary of State for Health how many people with haemophilia are suffering from hepatitis C through receiving infected blood products through the NHS prior to 1986; and if their condition is being monitored. [70167]

Mr. Hutton: We estimate that 4,000 people with haemophilia were infected with hepatitis C through their National Health Service treatment with blood products before the introduction of viral inactivation processes in 1985. All patients infected in this way are referred to a specialist for further assessment, observation and treatment as appropriate.

Young People (Employment)

Ms Bridget Prentice: To ask the Secretary of State for Health (1) what is the average number of hours worked by young people under 16 years of age in paid employment each week in each of the London boroughs; [70106]

(2) if he will list the categories of employment available to persons under 16 years old and the percentages of young people under 16 years in each category for each of the London boroughs; [70104]

(3) how many young people under 16 years of age in each of the London boroughs are in paid employment; [70107]

(4) what is the average hourly pay of young people under 16 years of age in employment in each of the London boroughs. [70105]

Mr. Hutton: Data on the employment activity of persons under 16 years of age are not collected centrally. The categories of employment available to persons under 16 are mainly contained in local authority byelaws. It is for individual authorities to decide in the light of local circumstances the categories of employment to permit, but the majority follow model byelaws issued by the Department of Health. Copies of the relevant part of that model have been placed in the Library.

Partnership Grant

Mr. Lock: To ask the Secretary of State for Health when he expects to publish guidance on the operation of the Partnership Grant; and if he will make a statement. [69678]

Mr. Hutton: We aim to issue guidance on the Partnership Grant within the next few weeks. The Promoting Independence: Partnership Grant was announced in the White Paper, "Modernising Social Services", which was published on 30 November 1998. The White Paper included broad indications of the aims of the grant, which includes the development of services to promote the independence of social services clients in partnership with local health authorities. Local authorities were notified of their indicative allocations in Local Authority Social Services Letter (98)18, issued on 2 December 1998.

Nurses

Mr. Chope: To ask the Secretary of State for Health, pursuant to the letter of 27 January from the Parliamentary Under-Secretary of State for Health to the hon. Member for Christchurch, on the basis of what evidence he made his comparison between the present and previous Governments' treatment of nurses. [70111]

Mr. Denham *[holding answer 9 February 1999]*: The evidence we have received is the many conversations and correspondence we have had with nurses leaders and ordinary nurses up and down the country ever since the new Government took office.

NHS Dentistry

Mr. Harvey: To ask the Secretary of State for Health when he expects the Government's strategy for NHS dentistry to be published. [70331]

Mr. Denham: I refer the hon. Member to the reply given to my hon. Friend the Member for Peterborough (Mrs. Brinton) on 15 December 1998, *Official Report*, columns *743–44*.

Foot Health Care

Angela Smith: To ask the Secretary of State for Health if he will list those health authorities that have conducted surveys of the foot healthcare needs of their residents since 1994. [70341]

Mr. Hutton: Information is not available centrally on those health authorities who have conducted foot health care surveys as part of developing a foot care strategy. We are conducting a review of the National Health Service chiropody services and in due course we intend to make recommendations on whether there is scope for improvement in their organisation and delivery.

Angela Smith: To ask the Secretary of State for Health what the expenditure was on community chiropody services by each NHS trust in 1997–98. [70339]

Mr. Hutton: Expenditure figures on community chiropody services for National Health Service trusts in England for 1997–98 have been placed in the Library.

Departmental Cash Limits and Running Costs

Laura Moffatt: To ask the Secretary of State for Health what changes will be made to the cash limits of his Department in 1998–99. [71119]

Mr. Dobson: Subject to Parliamentary approval of the necessary Supplementary Estimates, the cash limit for Class XI, Vote 1 (Hospital, community health, family health and related services, England) will be increased by £273,468,000 (from £31,225,592,000 to £31,499,060,000). This allows for increases of £81,876,000 in respect of the take up of the NHS Trusts' External Financing Limit (EFL) End Year Flexibility, and £208,691,000 from the Reserve for the National Health Service Winter Pressures. In addition the following transfers will take place, £3,300,000 from Class IX, Vote 1 (Department for Education and Employment) for student bursaries (Dearing Report); £60,000 from Class XII, Vote 1 (Department of Social Security) for the Students Grant Unit and £63,206,000 from the non-voted element of NHS Trusts' EFL. These increases are partially offset by transfers of £82,346,000 following a re-appraisal of the drugs budget requirements, £1,021,000 to Class XII, Vote 3 for start up costs for the Compensation Recovery Unit; £79,000 to Class XIII, Vote 3 (Education, industry, arts and libraries, Scotland) for student bursaries cross border flows; £211,000 to Class XIV, Vote 4 (Hospital, community health, family health services and other health services (part) Wales) for student bursaries cross border flows and £8,000 to the Department of Health and Social Services, Northern Ireland for the National Poisons Information Service.

The cash limit for Class XI, Vote 2 (Department of Health, administration, miscellaneous health and personal social services, England) will be increased by £68,133,000 (from £1,152,250,000 to £1,220,383,000). This increase allows for a claim on the Reserve of £61,300,000 to support services for Unaccompanied asylum seeking children, Asylum seekers' accommodation grant and Persons from abroad children's grant; and £7,713,000 in respect of the end year flexibility arrangements for health as announced by my right hon. Friend the then Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*. The increase also allows for the following transfers, £1,183,000 (running costs) from Class XII, 3 (Department of Social Security: administration) for repayment services; transfers totalling £66,000 (running costs) for the National Screening Committee made up of £52,000 from Class XIII, Vote 4 (Hospital, community health, family health, other health services and welfare food, Scotland) and £14,000 from the Department of Health and Social Services, Northern Ireland; transfers totalling

£26,000 for the United Kingdom Xenotransplantation Interim Regulatory Authority made up of £14,000 from Class XIII, Vote 4 (Hospital, community health, family health, other health services and welfare food, Scotland), £8,000 from Class XIV, Vote 4 (Hospital, community health, family health services and other health services (part), Wales) and £4,000 from the Department of Health and Social Services, Northern Ireland; and a transfer of £8,000 (running costs) from Class VIII, Vote 6 (HM Procurator General and Treasury Solicitor) for legal trainees. The overall increase is partially offset by a transfer of £2,163,000 to Class IV, Vote 2 (Ministry of Agriculture, Fisheries and Food) towards the costs of the Bovine Spongiform Encephalopathy (BSE) inquiry.

The Department's gross running cost limit will be increased by £1,257,000 from £262,946,000 to £264,203,000.

Overall the NHS Trusts' External Financing Limit has decreased by £63,206,000 from £121,920,000 to £58,714,000. The Medicines Control Agency External Financing Limit has been increased by £6,800,000 from £700,000 to £7,500,000.

All increases will either be offset by savings, increased receipts, transfers to or from other Votes or charged to the Reserve and will not therefore add to the planned total of public expenditure.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for Health if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70416]

Ms Jowell: A specific exercise was undertaken during 1997 to bring together information from National Health Service trusts, health authorities, the Department itself and a number of other public bodies to produce the Department's contribution to the National Asset Register, which was published in November 1997. Information on changes to this information is not held centrally.

Multiple Sclerosis

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the comparative *(a)* clinical effectiveness and *(b)* cost effectiveness of azathioprine and betainterferon in treating (i) relapsing remitting MS and (ii) secondary progressive MS. [70644]

Mr. Denham: As part of a research proposal a group of experts has made indirect comparisons between the available evidence on clinical effectiveness of beta-interferon and azathioprine in reducing relapse rates in patients with relapsing-remitting multiple sclerosis. They conclude from their analysis that there is no difference in efficacy in these indirect comparisons. Indirect comparisons of evidence from trials using different patient groups and protocols are less reliable than direct comparisons. The safety profiles of the respective drugs must also be considered.

No such analysis is available for the treatment of secondary progressive multiple sclerosis.

New Hospital Facilities

Mr. Hinchliffe: To ask the Secretary of State for Health if he will make a statement on his policy in respect of the approval of major capital schemes for the provision of new hospital facilities on sites away from existing hospitals. [70645]

Mr. Denham: Final decisions to proceed with major capital developments in the National Health Service are made on the basis of approved business cases, written in line with guidance set out in the capital investment manual.

New capital schemes procured by NHS trusts require planning permission which has to be obtained from the local planning authority. Therefore the location of any scheme is also a matter for the local planning authority. Proposed locations are selected by NHS trusts in partnership with the local health authority taking account of their healthcare strategies and patient needs, coupled with analysis of existing owned sites, or where these are unsuitable, other sites which may be available.

Nursing (Disabled Students)

Mrs. May: To ask the Secretary of State for Health how many students on nursing and midwifery degree courses are in receipt of disabled students' allowances; and what proportion they are of the total number of students on nursing and midwifery degree courses. [70435]

Mr. Denham: Of those students sponsored by the National Health Service, 3 or 0.2 per cent. currently receive disability allowances. Information on other publicly funded students is a matter for my right hon. Friend, the Secretary of State for Education and Employment.

Mrs. May: To ask the Secretary of State for Health how many students on nursing and midwifery diploma courses are disabled; and what proportion they are of the total number of students on nursing and midwifery diploma courses. [70436]

Mr. Denham: The information requested is not available centrally.

Medicines Control Agency

Mr. Paice: To ask the Secretary of State for Health what proposals he has to extend the powers of the Medicines Control Agency. [70637]

Ms Jowell: I refer the hon. Member to the reply given to the hon. Member for New Forest West, (Mr. Swayne) on 18 January 1999, *Official Report*, column *380*.

Invicorp Intravenous Self-injections

Mr. Corbett: To ask the Secretary of State for Health what guidance has been issued to general practitioners about prescribing Invicorp intravenous self-injections. [69496]

Mr. Denham *[holding answer 8 February 1999]*: The Department has not issued any guidance to general practitioners about prescribing Invicorp intracavernosal self-injections.

My right hon. Friend the Secretary of State launched a six-week public consultation on 21 January, on new policy proposals for NHS prescription of Viagra and other drug treatments for impotence. As a drug treatment for impotence, Invicorp falls within these proposals.

Food Standards Agency

Mr. Vaz: To ask the Secretary of State for Health what representations he has received from the *(a)* food and *(b)* retail industry over the creation of the Food Standards Agency. [69018]

Mr. Rooker: I have been asked to reply.

The Government consulted widely, including with representatives of the food and retail industry, on the White Paper, "The Food Standards Agency: A Force for Change" in 1998. Meetings have been held with these and other interested parties on a number of occasions to discuss the proposals.

On 27 January 1999 we launched a further consultation exercise on the draft Food Standards Bill and on proposals for a levy scheme. Copies of these two documents have been sent to all interested parties. The closing date for comments is 24 March.

TREASURY

Hon. Member for Coventry, North-West

Mr. Paterson: To ask the Chancellor of the Exchequer (1) what was the cost to the public purse of dealing with press inquiries regarding the private business affairs of the previous Paymaster General, the hon. Member for Coventry, North-West (Mr. Robinson), between 1 May 1997 and the date of his resignation; [67325]

(2) if he will review the accuracy of unofficial Treasury press briefings regarding the business affairs of the previous Paymaster General, the hon. Member for Coventry, North-West (Mr. Robinson), prior to his resignation; [67326]

(3) if he will review the accuracy of Treasury press releases and press briefings regarding the business affairs of the previous Paymaster General, the hon. Member for Coventry, North-West (Mr. Robinson), prior to his resignation. [67327]

Dawn Primarolo *[holding answer 27 January 1999]:* I refer the hon. Member to the answer given to the right hon. Member for Penrith and The Border (Mr. Maclean) on 5 February 1998, *Official Report,* column *780.*

Capital Expenditure

Mr. Maude: To ask the Chancellor of the Exchequer if he will make a statement on the restrictions on departments channelling funds from capital expenditure to current expenditure listing *(a)* the restrictions, *(b)* what exceptions apply to these restrictions and *(c)* what margin for flexibility applies to these restrictions. [68383]

Mr. Milburn: Under the new public spending framework introduced in the Comprehensive Spending Review, Departments' capital and current expenditure are now planned and managed separately to ensure that the Government's fiscal rules are met, and to prevent capital investment being cut back to meet short-term pressures on current spending. As set out in the Economic and Fiscal Strategy, departments are able to channel funds earmarked for capital expenditure into current spending only within an agreed margin, to allow for managerial flexibility or to finance private-public partnerships. The margin agreed varies between departments depending on their circumstances but is on average around 5 per cent. of their total capital budget.

Tax Credits

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate the number of personnel the Inland Revenue will *(a)* recruit, *(b)* transfer from other departments and *(c)* transfer from other duties in the Inland Revenue to administer the working families tax credit and the disabled person's tax credit. [67983]

Dawn Primarolo *[holding answer 1 February 1999]:* It is not expected that staff from other Government Departments or Inland Revenue will be transferred directly to the new Tax Credits Office but the recruitment programme is an open competition so anyone qualified can apply. It is not possible to establish how many of the successful candidates will be existing civil servants.

Alcohol and Tobacco Industries

Mrs. Lait: To ask the Chancellor of the Exchequer what meetings have taken place or are scheduled to take place between Treasury Ministers and representatives of the *(a)* alcohol and *(b)* tobacco industries in advance of his Budget statement. [69530]

Mrs. Roche: I met representatives of the alcohol industry (Brewers and Licensed Retailers Association, The Wine and Spirit Association of Great Britain and Northern Ireland, The National Association of Cider Makers, The Scotch Whisky Association and The Gin and Vodka Association of Great Britain) on 3 and 4 February.

Meetings with representatives of the tobacco industry will take place shortly.

Investment Products

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list the *(a)* tax and *(b)* legal definitions of his proposals for the investment products oeics and puncs. [69993]

Ms Hewitt: Open ended investment companies (oeics) are defined in the Open Ended Investment Companies (Investment Companies with Variable Capital) Regulations 1996, laid under section 2(2) of Schedule 2 to the European Communities Act 1972.

For tax purposes oeics are defined in section 468(10) of the Income and Corporation Taxes Act 1988 (as that section is inserted by Regulation 10(4) of the Open Ended Investment Companies (Tax) Regulations SI 1997 No. 1154) under which an oeic is defined as an open ended investment company within the meaning given by section 75(8) of the Financial Services Act 1986 which is incorporated in the United Kingdom.

The Financial Services and Markets Bill consultation document issued in July 1998 suggested that the Bill could give powers to provide for the incorporation of unauthorised oeics which it suggested be known as pooled unauthorised companies (puncs). The Treasury will consult in due course on the main features of puncs, including how they could be defined.

Working Families Tax Credit

Mr. Hancock: To ask the Chancellor of the Exchequer what factors underlay the decision to pay working families tax credit benefits through the pay packet. [69754]

Dawn Primarolo: Paying the Working Families Tax Credit and the Disabled Persons Tax Credit through the pay packet, rather than as a welfare benefit, will reduce the stigma associated with claiming in-work support. The clear link with employment should demonstrate the rewards of work over welfare and ensure that people move off welfare into work.

Mr. Stevenson: To ask the Chancellor of the Exchequer how many families in *(a)* Stoke-on-Trent and *(b)* the West Midlands will benefit from the working families tax credit. [69729]

Dawn Primarolo: It is estimated that for the West Midlands Region there will be about 120,000 families in receipt of the Working Families Tax Credit in 2000–01, the first full year of the credit. This estimate is based on data from the 1995–96 Family Resources Survey. Estimates below regional level are not available.

Mr. Pike: To ask the Chancellor of the Exchequer if he will estimate the number of people who will gain from the introduction of the working families tax credit in the North West Region. [63198]

Dawn Primarolo *[holding answer 11 January 1999]:* It is estimated that for the North West Region there will be about 190,000 families in receipt of the Working Families Tax Credit in 2000–01, the first full year of the credit. This estimate is based on data from the 1995–96 Family Resources Survey.

Public Consultations

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69779]

Ms Hewitt: The information requested is not held centrally and could be obtained only at disproportionate cost.

Smuggling (Tobacco and Alcohol)

Mrs. Lait: To ask the Chancellor of the Exchequer what targets he set Her Majesty's Customs and Excise to assess their success rate in confiscating smuggled and bootlegged tobacco and alcohol in 1997–98; and what assessment he has made of their success in achieving those targets. [70015]

Dawn Primarolo: For 1997–98 Customs planned to make detections of smuggled excise goods worth £36.7 million in revenue. Results at the end of the year were £63.1 million.

Mrs. Lait: To ask the Chancellor of the Exchequer what progress he is making at ECOFIN in persuading the EU finance ministers to increase excise duty on tobacco and alcohol; and at which meetings he has raised this issue since May 1997. [70018]

Dawn Primarolo: Member states are free to set excise duty rates at the level they feel are appropriate to their own particular circumstances subject only to agreed minimum rates. The UK believes that there should be a levelling up of most minimum rates. The mechanism for achieving this is the Commission's biennial review of duty rates. The latest tobacco review, due in December 1996, was published in June 1998 and is progressing through Council working group. It has yet to be discussed at ECOFIN. The alcohol review which was due in December 1996 is still awaited and has not been discussed at ECOFIN.

Mrs. Lait: To ask the Chancellor of the Exchequer how many Customs officers were dealing with smuggled and bootlegged tobacco and alcohol originating in the EU *(a)* at the latest date for which figures are available and *(b)* one year earlier. [70016]

Dawn Primarolo: The primary responsibility for dealing with tobacco and alcohol smuggled from the European Union rests with Excise Verification Officers. At 1 April 1998 there were 330 employed by Customs. As a result of the Comprehensive Spending Review, this figure will be increased to 423 by 1 April 1999. These front-line officers are supported by specialist intelligence and investigation teams.

Single Currency

Mr. Tyrie: To ask the Chancellor of the Exchequer, pursuant to paragraph 1.24 of the publication, "UK membership of the Single Currency: An assessment of the five economic tests", if he will list those studies which suggest that the UK economy *(a)* is and *(b)* is not more sensitive than other countries to interest rate changes. [69997]

Ms Hewitt: There have been a number of studies in recent years into the interest rate sensitivity of the UK relative to other European economies. These include a study by the Bank of England (Bank of England Quarterly Bulletin May 1997), a study by the Bank for International Settlements (Financial Structure and the Monetary Policy Transmission Mechanism, BIS, 1995) and "EMU: prospects and challenges for the euro", Blackwell, 1998. Further references can be found in the bibliographies of these studies.

Mr. Swayne: To ask the Chancellor of the Exchequer if he will publish a White Paper setting out the case for the UK joining the single European currency. [70225]

Mrs. Browning: To ask the Chancellor of the Exchequer if he will place in the Library the Government's assessment of the constitutional factors involved in joining the single currency. [70235]

Ms Hewitt *[holding answer 9 February 1999]:* The Chancellor of the Exchequer set out clearly the Government's position on membership of the single currency in his statement to the House of Commons on 27 October 1997, *Official Report*, columns 583–88.

Correspondence

Mr. Key: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the letter of 26 October 1998 from the Head of the Treasury Enterprise and Growth Unit to Colin Balmer of the Ministry of Defence, entitled "Selling Services into the Wider Market". [69718]

Mrs. Roche *[holding answer 9 February 1999]:* Our records do not show that a letter was sent from the Head of the Enterprise and Growth Unit to Colin Balmer on or around 26 October 1998. A policy and Guidance Note on "Selling Government Services into Wider Markets" was sent to Mr. Balmer and other PFOs on 31 July 1998 and placed on the Treasury's website shortly thereafter. I am placing a copy of the Guidance Note in the Library.

Simon de Danser Case

Valerie Davey: To ask the Chancellor of the Exchequer if he will make a statement concerning the unlawful activities of senior officers of HM Customs and Excise in connection with the seizure of the Simon de Danser vessel; and what action he will take as a result. [70640]

Dawn Primarolo: The Chairman of the Commissioners of HM Customs and Excise has asked Sir Gerald Hosker KCB QC, previously the Treasury Solicitor, to conduct an independent inquiry into the actions of Customs and Excise officials in relation to the case. A summary of the report and its recommendations will be made available to the House.

Valerie Davey: To ask the Chancellor of the Exchequer if he will require HM Customs and Excise to pay compensation to the police authorities for the waste of police time in connection with the Simon de Danser case. [70641]

Dawn Primarolo: This was a joint police/Customs operation in which both parties contribute to costs.

Valerie Davey: To ask the Chancellor of the Exchequer who made the decision to ask for the Special Boat Squadron to be involved in the boarding and seizure of the Simon de Danser vessel in May 1997. [70639]

Dawn Primarolo: The decision was made by Customs, in conjunction with the police, to ask the Ministry of Defence for military assistance to board the vessel Simon de Danser. It is the Ministry of Defence who decide what assistance is appropriate.

Departmental Cash and Running Costs Limits

Ms Lawrence: To ask the Chancellor of the Exchequer what changes are proposed to the cash and running costs limits of the Registry of Friendly Societies in 1998–99. [71257]

Ms Hewitt: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVI, Vote 9, Registry of Friendly Societies, will be increased by £1,000 from £1,522,000 to £1,523,000 and the running costs limit will be increased by £505,000 from £7,203,000 to £7,708,000. The change in running costs provision arises from the transfer of support services for the Building Societies and Friendly Societies Commissions and the credit union section of the Central Office from the Registry of Friendly Societies to the Financial Services Authority. The increase will be offset by appropriating in aid additional receipts, and will not therefore add to the planned total of public expenditure.

Ms Lawrence: To ask the Chancellor of the Exchequer what changes are proposed to the cash and running costs limits for the Inland Revenue in 1998–99. [71258]

Dawn Primarolo: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash and running costs limits for Class XVI Vote 4 will be increased by £3,493,000 from £1,730,709,000 to £1,734,202,000 and from £1,810,580,000 to £1,814,073,000 respectively.

The increase in running costs provision reflects *(a)* the transfer of £3,500,000 from the Cabinet Office, Class XVIII, Vote 2 for costs associated with the transfer of part of Euston Tower, *(b)* the transfer of £8,000 from HM Procurator General and Treasury Solicitor, Class VIII, Vote 6 to cover the costs of legal trainees being provided by the Treasury Solicitor, and *(c)* the transfer of £15,000 to the Department for Culture Media and Sport, Class X, Vote 1 for costs for services being provided by the Museums and Galleries Commission on pre-eminent testing.

As the increase relates to interdepartmental transfers it will not add to the planned total of public expenditure.

Ms Lawrence: To ask the Chancellor of the Exchequer what changes are proposed to the cash and running costs limits of HM Treasury in 1998–99. [71259]

Mr. Milburn: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVI, Vote 1 will be increased by £8,205,000 from £63,065,000 to £71,270,000, and the running cost limit will be reduced by £1,364,000 from £66,330,000 to £64,966,000. The cash limit increase of £8,205,000 is a result of the partial take up of running cost end year flexibility, as announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*. The changes are necessary mainly to provide for reclassification from running costs to other current expenditure on the euro information campaign and the transfer of the Insurance Directorate to the Financial Services Authority, and for additional provision required in these areas.

Additional provision is also required for the UK banking review and payments in respect of paymaster; and capital provision mainly for Debt Management Office.

The net increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

Ms Lawrence: To ask the Chancellor of the Exchequer what changes are proposed in the cash and running costs limits in 1998–99 for HM Customs and Excise. [71260]

Dawn Primarolo: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVI, Vote 3 will be increased by £25,388,000 from £835,543,000 to £860,931,000 and the running cost limit for HM Customs and Excise by £15,167,000 from £755,905,000 to £771,072,000.

The Supplementary comprises:

an increase of £9,000,000 to enable the Department to make and early start on implementing the Alcohol and Tobacco Fraud Review (ATFR), which was launched in July 1998. The running costs element of this increase is £7,300,000;

an increase of £7,867,000 in running costs from the take up of the Department's eligibility under the end year flexibility arrangements; and

an increase of £8,521,000 in other current provision (which includes legal fees and costs for the storage and disposal of seized goods), which will be met in full by foregoing the Department's remaining eligibility to running costs end year flexibility.

The Department has also made adjustments to allow for a Treasury change in the accounting treatment of VAT refunds on contracted out services. This adds £11,860,000 to expenditure subheads, offset by an equivalent increase in appropriations in aid.

The increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

FOREIGN AND COMMONWEALTH AFFAIRS

Yemen

Ms Moran: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he will take to ensure allegations of torture of British prisoners held in the Yemen are investigated. [69382]

Mr. Fatchett *[holding answer 8 February 1999]:* I refer my hon. Friend to my right hon. Friend the Foreign Secretary's answer on 18 January 1999, *Official Report*, column *344*, to the question by the hon. Member for Birmingham, Sparkbrook and Small Heath (Mr. Godsiff). My right hon. Friend the Foreign Secretary put out serious concerns about the torture allegations to Prime Minister Iryani. Prime Minister Iryani gave his assurance that the allegations would be investigated and, if found to be true, those responsible would be prosecuted.

We have pressed hard at all levels for an immediate medical examination in respect of these allegations. We are extremely disappointed that this has not happened. The detainees' defence lawyers have told us that they judge it would no longer serve the interests of the detainees for a medical examination of their torture allegations to be conducted at this late stage. They are pursuing this issue in court.

Iraq

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 January 1999, *Official Report*, column *225*, on Iraq, if he will place copies of the messages and letters received by Her Majesty's Government relating to Operation Desert Fox in the Library. [69787]

Mr. Fatchett: Many messages from governments were in the form of public statements. They are therefore already in the public domain. Other governments made their views known during telephone conversations, meetings or in personal letters. It would not be appropriate for me to make these exchanges public.

Indonesia

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place between his Department and the Government of Indonesia in the past year on torture. [70425]

Mr. Fatchett: We regularly raise human rights issues with the Indonesian government.

China (Human Rights)

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current state of the EU's human rights dialogue with China. [70553]

Mr. Fatchett: The EU/China dialogue has provided an opportunity for the EU to address many serious human rights concerns directly with the Chinese authorities. These include issues such as the death penalty, conditions of detention, Tibet and the cases of individuals, including those of recently imprisoned pro-democracy campaigners.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to review the results of the human rights dialogue between the EU and China in advance of the forthcoming session of the UN Commission on Human Rights. [70554]

Mr. Fatchett: We are reviewing the results of the EU/China Human Rights dialogue in conjunction with our EU partners. We will decide on our approach to the Commission on Human Rights before the Geneva meeting begins and in the light of that review.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the recent crackdown on dissidents in China and Tibet; and what impact this will have on the human rights dialogue between the EU and China. [70625]

Mr. Fatchett: China's recent crackdown is unacceptable. In addition to public statements, we have expressed our serious concerns directly to the Chinese government, both bilaterally and in conjunction with the EU and others, and called for the release of those detained. The EU/China dialogue provides an opportunity for the EU to address many serious human rights concerns directly with the Chinese authorities. Through the dialogue, we have urged China to abide by the principles of the international covenants, which it has signed, that guarantee the freedoms of expression and assembly.

UN Weaponry Convention

Jacqui Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs when the United Kingdom will formally accept Amended Protocol II and Additional Protocol IV of the UN Weaponry Convention. [71255]

Mr. Tony Lloyd: I am pleased to inform the House that the United Kingdom's letter of acceptance of Amended Protocol II and Additional Protocol IV to the UN Weaponry Convention is being deposited with the UN Secretary General in New York today.

Departmental Cash and Running Costs Limits

Mr. Peter Bradley: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes he proposes to make in his Department's cash limits and running costs limits for 1998–99. [71250]

Mr. Fatchett: Subject to Parliamentary approval of the necessary Supplementary Estimates the following changes will be made.

The cash limit for Class II, Vote 1 (Overseas Representation) will be decreased by £10,541,000 from £588,004,000 to £577,463,000. This reduction takes account of negative Overseas Price Movements of £10,500,000. There have also been two transfers from this vote: a transfer of £97,000 to the Department of Transport (Class VI Vote 7) for the provision of Marine survey and certification services in the Dependent Territories and a transfer of £140,000 to Class II, Vote 3 to cover a shortfall in funding for the subscription to the BBC World Service Monitoring Service. These have been partially offset by three transfers in: £45,000 from the Cabinet Office (Class XVIII Vote 2), £125,000 from the DTI (Class VI Vote 1) to fund the Invest in Britain Bureau in Hong Kong and £25,000 from the Home Office (Class VII Vote 1) to fund the UK Special Drugs Representative. A token Supplementary of £1,000 has also been taken to increase expenditure and receipts.

The gross running costs limit on Class II Vote 1 will be increased by £2,059,000 from £510,535,000 to £512,594,000. This increase has been fully offset by increased appropriations in aid.

The cash limit for Class II, Vote 2 (Other External Relations) will be increased by £29,951,000 from £235,660,000 to £265,611,000. The increase is required to cover UK contributions to certain OSCE, United Nations, and WEU Missions of £31,781,000. There are also transfers in of £100,000 from the Ministry of Defence (Class I Vote 1) in respect of their contribution to the Atlantic Council of the UK and £570,000 from the Home Office (Class VII Vote 1) towards certain overseas drug assistance programmes. These increases are partially offset by a reduction of £2,500,000 because of negative Overseas Price Movements.

The cash limit for Class II, Vote 3 has been increased by £2,140,000 from £167,836,000 to £169,976,000. This increase consists of £2,000,000 take up of capital end year flexibility as announced by my right hon. Friend the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*, and a transfer of £140,000 from Class II, Vote 1, as detailed above.

The cash limit for Class II, Vote 4 has been reduced by £349,000 from £97,448,000 to £97,099,000 because of negative Overseas Price Movements of £349,000.

The increases will be offset by transfers or charged to the reserve and will not therefore add to the planned total of public expenditure.

Whaling

Mr. Waterson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by Her Majesty's Government to those countries that are seeking to increase their whaling operations. [70205]

Mr. Morley: I have been asked to reply.

My Government colleagues and I take every opportunity to draw to the attention of the Japanese and Norwegian Governments our continuing opposition to their whaling activities. I made our position clear during my visit to Norway on 16–17 September 1998, as did officials at a meeting with senior Japanese officials on environmental issues on 8 February.

CABINET OFFICE

Departmental Cash and Running Costs Limits

Mr. Win Griffiths: To ask the Minister for the Cabinet Office what proposals there are to change the 1998–99 cash limit for the office of the Parliamentary Commissioner for Administration and Health Service Commissioners; and for what underlying reasons. [71328]

Mr. Kilfoyle: The total cash limit for the Office of the Parliamentary Commissioner for Administration and Health Service Commissioners on Class XVIII Vote 4 will be reduced by £2,101,000 falling from £15,101,000 to £13,000,000.

At the time Supply Estimates for 1998–99 were submitted, the Office was planning to procure its second generation computer system and Funds were sought for this. Detailed preliminary discussions have meant that a contract is not likely to be signed before early in 1999–2000, and the bulk of the expenditure will now therefore be incurred in that and the following year. This expenditure can be funded within existing provision in both years. The unused funds will be surrendered through a reduction in the cash limit for 1998–99.

The changes will not add to the planned total of public expenditure.

Mr. Win Griffiths: To ask the Minister for the Cabinet Office what proposals he has to change the 1998–99 cash limit or running costs limit for the Cabinet Office: Administration and Cabinet Office: Other Services Votes. [71329]

Dr. Jack Cunningham: Subject to parliamentary approval of the necessary Supplementary Estimates:

> The cash limit for Cabinet Office: administration (Class XVII, Vote 1) will be decreased by £760,000 from £154,056,000 to £153,296,000 and the running costs limit has been decreased by £3,759,000 from £62,903,000 to £59,144,000.
>
> The cash limit for Cabinet Office: other services (Class XVIII, Vote 1) will be increased by £105,000 from £49,356,000 to £49,461,000 and the running cost limit has been increased by £484,000 from £48,639,000 to £49,123,000.

This is mainly to take account of the following.

Changes to the Ambit and Appropriation in Aids statement: The Cabinet Office has responsibility for the Royal Commission on the House of Lords Reform and the Public Confidence Programme work of Action 2000. Amendments have been made to the appropriations in aid description to reflect new guidance concerning the treatment of VAT refunds on contracted out services.

Machinery of Government: The Cabinet Office has taken over responsibility for the Women's Unit and Women's National Commission from the Department of Social Security (Class XII, Vote 3) (£1,900,000).

Transfer payment: A transfer payment has been made to the Privy Council (Class XVIII, Vote 3) (£87,000) and to the Department of Trade and Industry (Class V, Vote 1) (£34,000) to provide for minor occupier charges. An intra Vote transfer from Cabinet Office: administration to Cabinet Office: other services has taken place in respect of shared central services (£226,000). Provision for ownership of Pithay in Bristol has transferred from the Property Advisors to the Civil Estate to the Employment Service (Class IX, Vote 3) for ownership of the Pithay in Bristol (£77,000) and for occupation by the Office of the Parliamentary Commissioner and Health Service Commissioners (Class XIII, Vote 4) of Millbank Tower in London (£457,000).

The increases will be offset by transfers. Thus, they will not add to the planned total of public expenditure.

Occupational Pensions

Ms Osborne: To ask the Minister for the Cabinet Office on what basis former public sector employees are entitled to annual increases in occupational pensions. [70194]

Mr. Milburn: I have been asked to reply.

The Pensions (Increase) Act 1971 and Social Security Pensions Act 1975 provide for increases in the public service pensions of retired public service employees each year by the rate of inflation as measured by the all-items measure of the Retail Prices Index (RPI).

SCOTLAND

Waiting Lists

Mr. Moore: To ask the Secretary of State for Scotland how many patients *(a)* had not yet been seen following GP written referral and *(b)* were waiting between referral to consultation, broken down (i) by specialty and (ii) by quarter from 30 March 1997. [67365]

Mr. Galbraith *[holding answer 25 January 1999]:* Information on waiting lists is collected centrally only for hospital inpatients and day cases. Data are available on first outpatient referrals and the length of time that patients waited for their first outpatient appointment. The percentage of patients who received a first outpatient appointment within 9 weeks and 18 weeks following a General Medical Practitioner/General Dental Practitioner referral, by specialty, for each quarter from 31 March 1997, is provided in the tables.

From 1 July 1999, this will be a matter for the Scottish Parliament.

NHS in Scotland: Percentage of patients who received a first outpatient appointment within 9 weeks and within 18 weeks of referral by a General Medical Practitioner/General Dental Practitioner, by Specialty[1]

	31 March 1997		*30 June 1997*		*30 September 1997*	
	Percentage seen within		*Percentage seen within*		*Percentage seen within*	
Specialty	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*
Adolescent Psychiatry	79.2	96.8	73.5	94.4	70.6	97.1
Anaesthetics	36.2	75.0	39.0	74.0	33.0	72.1
Cardiac Surgery	—	—	100.0	100.0	38.5	100.0
Cardiology	80.9	98.1	83.2	96.7	72.1	93.8
Cardiothoracic Surgery	90.7	100.0	94.2	100.0	89.7	98.5
Child Psychiatry	71.2	88.1	70.2	85.0	65.7	80.8
Clinical Genetics	37.5	82.6	41.4	80.6	48.3	80.0
Clinical Oncology	—	—	99.2	100.0	98.3	99.5
Communicable Diseases	89.7	98.2	92.3	97.8	93.3	98.8
Dermatology	53.6	81.8	56.4	86.4	52.4	88.1
Ear, Nose and Throat (ENT)	67.5	90.0	63.9	92.2	53.1	90.1
Endocrinology and Diabetes	—	—	76.6	95.6	72.8	95.4
Gastroenterology	62.2	94.4	66.0	94.9	56.7	92.4
General Medicine	78.2	94.6	81.7	96.4	73.3	95.6
General Psychiatry	84.0	97.6	84.5	98.4	83.3	96.6
General Surgery	81.7	96.1	87.9	98.2	82.7	98.0
General Surgery (excluding Vascular)	—	—	85.1	97.1	80.8	97.3
Geriatric Medicine	96.9	99.2	97.6	99.3	97.5	99.5
GP Obstetrics	100.0	100.0	100.0	100.0	99.0	99.0
GP—other than Obstetrics	93.1	98.3	94.6	100.0	97.8	99.6
Gynaecology	76.4	96.9	79.3	97.8	72.6	96.5
Haematology	95.8	99.0	97.8	99.7	95.4	99.6
Homeopathy	12.2	31.0	17.7	41.2	14.5	35.6
Learning Disability	88.6	88.6	93.0	98.6	86.3	92.2
Medical Oncology	93.3	96.7	100.0	100.0	100.0	100.0
Medical Paediatrics	87.1	98.5	83.0	98.6	78.3	98.3
Nephrology	83.4	97.9	85.4	98.3	81.5	98.0
Neurology	49.7	70.2	50.0	79.3	40.9	71.2
Neurosurgery	74.9	92.9	80.2	95.4	70.3	90.3
Obstetrics—Antenatal	97.7	99.6	97.8	99.6	96.9	99.1
Obstetrics—Postnatal	86.4	100.0	80.0	100.0	95.5	95.5
Ophthalmology	65.7	92.6	65.9	93.8	58.4	90.0
Oral Surgery and Oral Medicine Group[3]	70.7	94.2	65.3	94.0	57.6	91.5
Orthodontics and Paediatric Dentistry Group[4]	47.8	71.3	54.5	85.0	45.8	77.8
Orthopaedics	49.2	77.7	51.2	81.8	46.7	80.4
Plastic Surgery	58.3	85.1	60.5	89.9	59.1	90.4
Psychogeriatrics	96.1	98.8	97.9	99.2	97.2	99.4

NHS in Scotland: Percentage of patients who received a first outpatient appointment within 9 weeks and within 18 weeks of referral by a General Medical Practitioner/General Dental Practitioner, by Specialty[1]

	31 March 1997		*30 June 1997*		*30 September 1997*	
	Percentage seen within		*Percentage seen within*		*Percentage seen within*	
Specialty	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*
Rehabilitation Medicine	72.1	94.4	75.8	96.4	68.4	94.9
Respiratory Medicine	92.5	98.6	91.9	98.7	89.4	98.2
Restorative Dentistry	23.7	78.1	21.9	67.4	18.4	58.0
Rheumatology	60.4	85.5	60.9	87.3	53.4	84.7
Surgical Paediatrics	54.7	95.5	54.6	91.1	51.1	82.6
Thoracic Surgery	—	—	98.3	98.3	96.1	100.0
Urology	69.0	95.0	69.8	95.7	66.3	92.7
Vascular Surgery	—	—	72.0	95.4	65.8	96.2
All Specialties	70.7	91.2	72.3	93.2	66.5	91.7

	31 December 1997		*31 March 1998*		*30 June 1998*		*30 September 1998*[2]	
	Percentage seen within		*Percentage seen within*		*Percentage seen within*		*Percentage seen within*	
Specialty	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*	*9 weeks*	*18 weeks*
Adolescent Psychiatry	85.7	96.2	79.9	96.7	80.8	94.0	77.6	95.2
Anaesthetics	32.0	65.2	31.4	64.8	39.8	70.4	30.1	59.3
Cardiac Surgery	71.4	92.9	66.7	100.0	75.0	100.0	70.0	80.0
Cardiology	78.0	92.3	76.9	93.3	76.6	95.4	69.0	93.2
Cardiothoracic Surgery	91.6	99.6	96.9	99.6	95.0	98.9	91.1	99.6
Child Psychiatry	75.2	86.7	76.5	87.9	71.9	86.2	64.6	79.4
Clinical Genetics	37.4	74.8	43.6	76.4	33.6	79.0	37.3	66.3
Clinical Oncology	96.3	97.6	97.7	99.4	97.6	99.2	98.8	99.8
Communicable Diseases	90.0	98.5	88.3	97.[illegible]	89.0	98.8	78.5	96.2
Dermatology	51.3	81.8	58.0	83.8	60.3	87.9	57.4	88.2
Ear Nose and Throat (ENT)	56.0	88.3	56.8	87.7	56.5	90.6	51.6	87.6
Endocrinology and Diabetes	69.4	91.1	70.3	92.6	72.2	93.9	65.5	89.5
Gastroenterology	58.2	87.7	59.2	89.6	60.0	88.6	49.9	83.3
General Medicine	75.9	96.0	76.7	96.2	77.0	97.1	70.7	95.3
General Psychiatry	84.2	97.3	83.9	97.0	85.8	97.4	84.6	97.2
General Surgery	79.9	97.4	80.5	97.2	83.0	98.2	79.9	97.9
General Surgery (excluding Vascular)	82.6	96.7	82.8	96.3	82.6	97.4	77.1	96.6
Geriatric Medicine	97.8	99.5	97.6	99.6	97.0	99.6	95.3	99.5
GP Obstetrics	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
GP—other than Obstetrics	97.8	98.9	97.1	100.0	92.9	96.9	96.9	99.6
Gynaecology	75.2	95.9	77.1	96.3	77.1	96.8	72.0	96.2
Haematology	96.5	99.5	95.3	98.9	97.7	99.8	96.5	99.5
Homeopathy	34.7	60.1	34.4	60.2	26.6	57.5	25.4	46.0
Learning Disability	91.5	94.9	97.7	100.0	96.2	98.1	96.8	100.0
Medical Oncology	100.0	100.0	100.0	100.0	98.7	100.0	99.1	100.0
Medical Paediatrics	84.1	97.4	82.6	97.9	75.7	96.8	72.2	96.3
Nephrology	86.1	97.8	84.4	97.7	90.2	99.0	88.0	97.0
Neurology	47.9	72.8	45.5	72.9	44.0	71.6	38.6	68.2
Neurosurgery	64.9	89.7	67.1	91.9	67.1	93.6	70.3	94.5
Obstetrics—Antenatal	96.8	99.4	97.3	99.6	97.6	99.7	97.8	99.6
Obstetrics—Postnatal	95.2	100.0	89.3	100.0	100.0	100.0	94.1	100.0
Ophthalmology	57.7	89.0	55.3	88.6	53.5	87.0	51.0	85.5
Oral Surgery and Oral Medicine Group[3]	66.6	92.0	64.6	92.2	58.5	92.7	53.7	88.9
Orthodontics and Paediatric Dentistry Group[4]	42.0	74.4	42.7	76.3	51.6	83.3	49.4	80.7
Orthopaedics	45.7	74.3	45.8	74.9	48.5	78.3	43.0	73.6
Plastic Surgery	50.8	83.3	51.4	77.8	57.1	82.5	53.2	81.4
Psychogeriatrics	97.7	99.8	96.4	99.2	96.6	99.2	96.9	99.3
Rehabilitation Medicine	72.5	92.6	78.3	96.7	89.2	98.0	80.4	96.6
Respiratory Medicine	91.3	97.7	92.3	97.7	91.9	98.3	89.3	97.7
Restorative Dentistry	19.2	57.6	17.1	67.8	23.0	62.8	36.4	58.1
Rheumatology	54.8	80.8	55.8	83.6	58.7	85.9	53.8	83.3
Surgical Paediatrics	57.5	85.2	91.6	98.8	90.7	99.5	92.9	99.7
Thoracic Surgery	97.7	97.7	91.6	98.1	93.3	100.0	93.4	99.3
Urology	71.5	92.8	73.5	94.5	72.7	94.5	63.8	93.8
Vascular Surgery	65.8	96.5	70.8	94.1	73.1	92.6	68.0	91.8
All Specialities	67.1	89.7	68.3	90.2	68.9	91.5	64.6	89.8

[1] No entry for a specialty on 31 March 1997 indicates new specialty codes introduced on 1 April 1997.

[2] Provisional

[3] Oral Surgery and Medicine Group incorporates the oral surgery and oral medicine specialties.

[4] Orthodontics and Paediatric Dentistry Group incorporates the orthodontics and paediatric specialties.

Source:

Form SMR0/SMR01, ISD Scotland

New Deal

Mr. Gorrie: To ask the Secretary of State for Scotland how many people in each local enterprise company area have started on the New Deal programme and then left it without going into employment, education and training or working with the voluntary sector or the environment task force. [66633]

Mr. Dewar *[holding answer 26 January 1999]:* The information, which relates to the position at the end of October 1998 is as follows:

Immediate destinations of those leaving New Deal[1]

Unit of delivery[2]	*Other benefits*	*Other known destinations*[3]	*Not known*[4]	*Total leavers*[1]	*Numbers joining programme*	*Total leavers as percentage of those joining programme*
Argyll and the Islands	10	6	19	35	236	15
Ayrshire	60	105	103	268	1,881	14
Borders	5	8	15	28	301	9
Caithness and Sutherland	1	3	5	9	85	11
Dumfries and Galloway	18	14	26	58	487	12
Dunbarton	31	41	58	130	934	14
Edinburgh, East and Midlothian	70	49	129	248	1,478	17
Fife	52	49	104	205	1,534	13
Forth Valley	38	41	67	146	983	15
Glasgow	198	143	264	605	3,530	17
Grampian	57	38	92	187	682	27
Inverness and Nairn	6	8	18	32	196	16
Lochaber	1	1	13	15	46	33
Lanarkshire	127	136	167	430	2,800	15
Moray, Strathspey and Badenoch	7	14	11	32	224	14
Orkney	0	0	0	0	31	0
Renfrewshire	67	64	99	230	1,255	18
Ross and Cromarty	4	2	14	20	150	13
Shetland	0	4	5	9	32	28
Skye and Lochalsh	0	2	5	7	36	19
Tayside	118	92	200	410	2,315	18
West Lothian	22	14	48	84	497	17
Western Isles	1	8	9	18	97	19
Scotland	893	842	1,471	3,206	19,810	16

[1] Excluding those who gained employment or had taken up education or training or had worked with the voluntary sector or Environment Task Force.

[2] LEC areas correspond to New Deal units of delivery except for the area covered by Lothian and Edinburgh Enterprise Limited which is split into 2 New Deal delivery units: Edinburgh, East and Mid Lothian, and West Lothian.

[3] Other known destinations include: starting on training programme outwith the New Deal; moving into full-time education; moving abroad; and entering prison.

[4] Some young people who find a job will not, for whatever reason, record this as the reason for termination of their JSA claim these will be counted as 'Not Known'. Past research shows that the destinations of those who do not give a reason for termination follows a similar pattern to those who do give a reason more than half of whom move to unsubsidised jobs. As more data are added the numbers in this category may be revised downwards for recent months.

Forestry Commission Land

Sir Robert Smith: To ask the Secretary of State for Scotland what the Scottish Office guidelines are for commercial non-timber activities on Forestry Commission land. [69071]

Mr. Macdonald: The Forestry Commission's estate provides many opportunities for generating income from sources other than the production of timber. Ministers expect the Commission to maximise the return from its assets as long as this does not compromise its environmental and social objectives.

Smoking

Mr. Sarwar: To ask the Secretary of State for Scotland what action the Government are taking to reduce cigarette smoking among young people; and if he will make a statement. [69405]

Mr. Galbraith: The Government's recently published Tobacco Control White Paper "Smoking Kills", identified young people as a key target group, and the Government will be devoting £5 million over the next 3 years to health education activity aimed at reducing smoking levels. The Scottish Office will also be working with key groups to draw up a new enforcement protocol for local authorities to deal with underage tobacco sales. The forthcoming Public Health White Paper will set out new targets for reducing smoking among children. From 1 July 1999 this will be a matter for the Scottish Parliament.

Coronary Heart Disease

Mr. Sarwar: To ask the Secretary of State for Scotland what progress has been made in reducing the incidence of coronary heart disease in Scotland in the last 10 years; and if he will make a statement. [69404]

Mr. Galbraith: The incidence of CHD is estimated using new hospital admissions and deaths which did not involve hospital admission. On that basis, the incidence rate for men has fallen from 689.3 per 100,000 population in 1987 to 585.6 in 1996 and for women from 502.3 per 100,000 population in 1987 to 480.2 in 1996.

Since the mid-1980s, significant progress has been made in reducing premature deaths from CHD. The mortality rate has reduced by 42 per cent. from the original baseline of 1986. The current target is to achieve a 40 per cent. reduction in deaths among the under-65s between 1990 and 2000. The latest figures show continued improvement, making it highly likely that the target will be met.

CHD continues to be one of the clinical priorities of the NHS in Scotland, as is shown by the establishment last autumn of the CHD Task Force, which is looking at all aspects of the disease. One of its priorities is the creation of a national CHD database, which will make the monitoring of CHD incidence much more comprehensive.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Tele-medicine

Mr. Sarwar: To ask the Secretary of State for Scotland what proposals he has to promote tele-medicine in the National Health Service. [69406]

Mr. Galbraith: The Government's White Paper "Designed to Care" stated that the co-ordination of care could be improved through tele-medicine by enabling, for example, consultation with hospital specialists to take place in the GP's surgery. The Government's objective is to use technology to promote a seamless pattern of care. A Strategic Programme for Modernising Information Management and Technology in the NHS in Scotland has been published which requires all Health Boards and NHS Trusts to develop their own local comprehensive strategies which will include the use of tele-medicine. The government are also:

Establishing a national tele-medicine advice centre

Supporting proposals for development of tele-medicine applications in emergency medicine in Grampian and heart disease in Paisley

Joining with other home countries (England, Wales, Northern Ireland) to consider: common technical standards, confidentiality and ethics as they relate to tele-medicine and the evaluation of tele-medicine.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Departmental Fraud and Theft

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the cost of fraud and thefts relating to (i) his Department, (ii) its agencies and (iii) other public bodies, in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* 1999–2000; and if he will make a statement. [69265]

Mr. Dewar *[holding answer 8 February 1999]:* The table details the cost of fraud and thefts relating to the Scottish Office, its agencies and Associated Departments. The figures for other public bodies are not held centrally. No estimates for the cost of fraud and thefts have been made for 1999–2000.

From 1 July 1999 this will be a matter for the Scottish Parliament.

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	Scottish Office	*Agencies*	*Associated Departments*
1996–97	22,190	8,745	0
1997–98	21,858	24,329	350
1998–99 (year-to-date)	22,442	1,718	360

Departmental Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what are the latest absenteeism rates for each of his Departments, agencies and related public bodies; and what is his estimate of the total cost of this level of absenteeism to public funds in each of the last five years; and if he will make a statement. [69202]

Mr. Dewar *[holding answer 8 February 1999]:* The published sickness absence rates for the Scottish Office and my other departments/agencies, for the latest available year (1997), are shown in the table. These figures are extracted from a published report on sickness absence patterns across the Civil Service. The report for 1997 has recently been released. Information on absence rates for Non-Departmental Public Bodies is not held centrally.

Working days absence per staff year in The Scottish Office 1997

	Total
The Scottish Office (including its executive agencies other than SPS)	8.4
Scottish Prison Service Agency	10.9

Working days absence per staff year in other departments/agencies of the Secretary of State for Scotland 1997

	Total
Scottish Record Office	9.9
General Register Office for Scotland	7.2
Scottish Courts Administration	7.8
Scottish Courts Service	15.5
Registers of Scotland	12.0

The published report does not estimate the staff costs of sickness at a departmental level—the estimated total cost in 1997 across the Civil Service was £404 million. Estimates for each department above could be produced only at disproportionate cost.

The Scottish Office is developing proposals in response to the 1998 Cabinet Office Report "Working Well Together—Managing Attendance in the Public Sector" to introduce best practice. Targets for reductions in absence rates will be set in line with the recommendations in the report.

Sports Funding

Mr. Gorrie: To ask the Secretary of State for Scotland if he will estimate the total revenue financial support which Scottish councils will provide to sport in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02. [69714]

Mr. Galbraith: Estimates for future years are not available as this information is collected on an annual basis and councils do not submit their budget estimates for each financial year until the Spring. As from the 1 July this will be a matter for the Scottish Parliament.

Teachers

Mr. Gorrie: To ask the Secretary of State for Scotland what proposals he has to collect information on *(a)* the numbers of visiting specialist teachers in primary schools, *(b)* the numbers of class and specialist teachers in primary and secondary schools on short-term contracts and *(c)* shortages of teachers for particular types of post, or subject or as supply teachers. [69733]

Mrs. Liddell: Information on the number and characteristics of teachers in schools has been collected via a regular census of all teachers working in schools on a particular date. The last such census took place in September 1998 and did not categorise visiting specialists directly. Information on the number of class and specialist teachers in primary and secondary schools on short-term contracts was collected in the 1998 census and teachers were asked explicitly whether they were on a permanent or temporary contracts and whether they were on a supply list at the time. Provisional results from the 1998 census are expected to be available in Summer 1999.

The Scottish Office and other main partners in the education system have also been working together to enable schools to supply data electronically through the National Management Information Systems (NMIS) Project. A number of schools already provide data in this way and it has been agreed that by 2002, all schools will do so. The data specification for the NMIS Project does allow visiting specialists to be identified. The Scottish Office will consult with its partners as to whether a further census of data from teachers is needed before 2002.

While there can always be supply difficulties in particular subjects or areas, we are not aware that vacancies remain unfilled in any quantity because of shortages of teachers. The Scottish Office is aware that some authorities are having difficulty in maintaining adequate numbers of supply teachers to provide cover and will shortly be undertaking work to obtain better information from education authorities on the demand for the deployment of supply teachers. From 1 July 1999, this will be a matter for the Scottish Parliament.

Council Tax

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his policy on the future of the 50 per cent. discount on council tax on second homes; and if he will make a statement. [69854]

Mr. McLeish *[holding answer 9 February 1999]:* The Council Tax system is working well and we do not propose any changes at this time. From 1 July 1999 this will be a matter for the Scottish Parliament.

Departmental Cash and Running Costs Limits

Dr. Lynda Clark: To ask the Secretary of State for Scotland what changes he intends to make to the cash limits and running costs provision for 1998–99 within his responsibility. [71122]

Mr. Dewar: Subject to Parliamentary approval of the necessary supplementary estimates, I intend to make changes to 9 voted cash limits, 1 non-voted cash block and 2 running cost limits:

The cash limit for Class XIII, Vote 1, Agriculture, fisheries and environmental services, Scotland has been increased by £28,503,000 from £253,899,000 to £282,402,000. This Supplementary Estimate is required to take up end year flexibility for capital of £4,000,000 and for agency running costs of £328,000, within the overall Scottish Office running cost limit. It also reflects an additional increase in running costs provision of £162,000 for infectious Salmon Anaemia outbreak, an increase of £21,513,000 for the Scottish share of the increased spending on the 1999 Hill Livestock Compensatory Allowance Scheme, an increase of £3,221,000 for increased expenditure on Agri-environment schemes, and a transfer to MAFF (Class III, Vote 2) of £721,000 being the Scottish contribution towards the costs of the UK BSE Inquiry.

The cash limit for Class XIII, Vote 2, Local Government, Housing, Transport, Other Environmental Services and European Funds, Scotland will be increased by a net total of £40,642,000 from £5,590,865,000 to £5,631,507,000. The change reflects a net increase in Housing of £1,357,000; a net increase of £2,345,000 for Other Environmental Services (which includes £2,049,000 in respect of the Coalfields Regeneration Trust); a net decrease of £8,573,000 for Roads and Transport (which includes a net decrease in provision of £2,900,000 for Motorways and Trunk Roads, a net decrease of £1,773,000 for Transport and a decrease in the grant required by Strathclyde Passenger Transport Authority of £3,900,000); an increase of £202,000 for Historic Scotland (which includes an increase of £44,000 in running costs); an increase of £17,281,000 for Revenue Support Grant (including £13,671,000 for the Spend to Save Scheme); and increase of £612,000 for final claims in respect of the District Equalisation Scheme; and an increase of £27,418,000 in Agency payments on behalf of the European Community to accommodate revised accounting arrangements for European Structural Fund Grants.

The cash limit for Class XIII, Vote 3, Education, industry, arts and libraries, Scotland will be increased by a net total of £7,926,000 from £1,696,507,000 to £1,704,433,000. The net increase takes account of a transfer of £2,606,000 to Class XIII, Vote 4 in respect of the University of Edinburgh Medical School, a transfer of £600,000 to SO/LA1 in respect of advanced factory provision, a transfer of £35,000 from Class XIII, Vote 2 in respect of Livingston Development Corporation, a transfer of £11,026,000 from reductions in Water Authorities EFLs and a transfer of £71,000 from Class XIII, Vote 6 in respect of additional administration costs for the Scottish Office Pensions Agency. There will also be a number of intra-vote transfers to take account of presentational requirements.

The cash limit for Class XIII, Vote 4, Hospital, community health, family health, other health services and welfare food, Scotland, will be increased by a net total of £33,876,000 from £3,997,607,000 to £4,031,483,000. The increase includes the cash limit increase of £22,246,000 announced on 3 November in respect of additional expenditure to reduce the effect of winter pressures on the

NHS; a transfer of £109,000 to Class XII, Vote 3 to meet the systems and operational set-up costs in preparation of the new arrangements to be provided for in the Road Traffic Accident Bill; a transfer of £2,606,000 from Class XIII, Vote 3 in respect of the unused element of the capital costs of providing teaching facilities resulting from the relocation of Edinburgh University Medical School; a transfer of £60,000 to Class XIII, Vote 6 for increased expenditure by the Mental Welfare Commission; a transfer of £14,000 to Class XI, Vote 2 for Scotland's contribution to the funding for the United Kingdom Xenotransplantation Interim Regulatory Authority; a transfer of £52,000 to Class XI, Vote 2 for Scotland's contribution towards the National Screening Committee; a transfer of £12,000 to Class XIII, Vote 5 for part funding for the appointment of the COSLA Drugs Co-ordinator; and some adjustments to reflect increased receipts from National Insurance Contributions and increased refunds from of Value Added Tax. The NHS Trusts' External Financing Limit has also been decreased by £14,175,000 from -£13,343,000 to -£27,518,000.

The overall increase for Class XIII, Vote 5, Law, order and protective services, police grant and social work services, Scotland, is £1,000. The cash limit has been increased by £5,538,000 from £671,549,000 to £677,087,000 and the gross running costs provision has been increased by £2,380,000 from £149,319,000 to £151,699,000. The cash limit increase takes account of a £1,500,000 increase for grants for asylum seekers and a £2,000,000 increase for publicity costs relating to the Scottish Parliamentary Elections. The changes also include transfers amounting to £800,000 to the Class VIII, Vote 7, The Crown Office, Scotland for ECHR cases, postal citations and for Lockerbie trial costs. There was also a transfer of £100,000 to Class XIII, Vote 9, Administration of Justice, Scotland and an increase in Section N both for Lockerbie trial costs. The Chief Secretary to the Treasury has agreed that access will be provided to the Reserve to assist in meeting the costs of the Lockerbie trial. A further transfer of £816,000 was received from SO/LA1 for additional funding on section G, police, section I fire and section M, social work services. There will also be a number of minor inter and intra Vote transfers.

The cash limit for Class XIII, Vote 6, Scottish Office Administration, will be increased by £1,247,000 from £163,310,000 to £164,557,000. Within this total the gross running cost provision for Scottish Office Administration is being increased by £4,771,000 from £136,057,000 to £140,828,000. This increase includes end year flexibility of £982,000, a transfer to £140,828,000. This increase includes end year flexibility of £982,000, a transfer of £405,000 from Class IV, Vote 2, Ministry of Agriculture, Fishers and Food, to fund work carried out on the cattle tracing scheme, alterations to the treatment of receipts from recoverable VAT, virement from the capital subhead of £2,260,000 and a transfer of £71,000 to Class XIII, Vote 3 in respect of additional administration costs for the Scottish Office Pensions Agency. The additional running costs provision is required primarily to meet running costs pressures associated with the establishment of the Scottish Parliament. Provision for capital expenditure is reduced by £2,065,000 from £31,030,000 to £28,965,000. Provision for other current expenditure is being increased by £60,000 from £4,961,000 to £5,021,000 to finance ongoing IT purchases by the Mental Welfare Commission for Scotland. The change in treatment of VAT and European Fast Stream receipts has resulted in an increase of appropriations-in-aid of £1,519,000 from £8,738,000 to £10,257,000.

The cash limit for Class XIII, Vote 7, General Register Office for Scotland, will be increased by a token amount of £1,000 from £5,477,000 to £5,478,000. Within this total the running cost provision has been increased by £150,000 from £7,503,000 to £7,653,000 and a corresponding increase in appropriations-in-aid from £2,402,000 to £2,552,000. This supplementary is required to accommodate the change in treatment of recoverable VAT receipts.

The cash limit for Class XIII, Vote 8; Scottish Record Office has been increased by a token amount of £1,000 from £4,072,000 to £4,073,000. This supplementary is required to give the authority to incur expenditure and receive income associated with the Scottish and European Archive Network.

The overall increase for Class XIII, Vote 9 is £2,900,000, which is for expenditure associated with the Lockerbie trial. The Chief Secretary to the Treasury has agreed that access will be provided to the Reserve to assist in meeting these costs.

The Scottish Office running cost limit will increase by £4,165,000 from £336,491,000 to £340,656,000.

The Water Programme has been reduced by a net £12.6m arising from the postponement of the Hyundai Project. The External Finance Limit for each of the Scottish Water Authorities has been adjusted as follows:

£ million

Authority	*Existing EFL*	*New EFL*
North of Scotland Water	55.582	55.514
East of Scotland Water	58.985	55.345
West of Scotland Water	71.389	71.401

SO/LA1

The non-voted cash limit SO/LA1 which covers non-housing capital expenditure by local authorities will be reduced by a net total of £13,539,000 from £367,677,000 to £354,138,000. The reduction reflects transfers out of £12,471,000 to Class XIII, Vote 2 for Revenue Support Grant, £168,000 to Class XIII, Vote 2 for the Central Government Challenge Fund, £626,000 to non-voted Election Expenditure, £58,000 to Class XIII, Vote 1 and £816,000 to Class XIII, Vote 5 to cover pressures and a transfer in of £600,000 from Class XIII, Vote 3 in respect of assistance for Borders Council.

Mrs. McKenna: To ask the Secretary of State for Scotland if the Lord Advocate proposes any changes to the Crown Office cash and running cost limits. [71123]

Mr. Dewar: Subject to Parliamentary approval of the necessary Supplementary Estimate the cash limit for Class VIII, Vote 7 will be increased by £1,500,000 from £49,193,000 to £50,693,000. Within this total the running cost limit will be increased from £47,455,000 to £49,005,000. The Supplementary is required to meet the Department's ongoing commitment to the Law and Order programme in Scotland and additional costs of preparatory work in holding criminal justice proceedings in a third country (Lockerbie trial), additional costs relating to the Department's commitment to the European Convention on Human Rights initiatives. These additional costs will be met in the main from the Scottish Block though £400,000 is in respect of end year flexibility arrangements for capital and running costs as announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*.

Class Sizes

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the annual cost of reducing primary school class sizes to a maximum of 30 pupils for all children in primary schools; and if he will make a statement. [70354]

Mrs. Liddell: Based on the number of pupils in each school, as recorded in the September 1997 School Census, the estimated annual recurrent cost would be £26.1 million. This is the total cost of employing an additional teacher for each new class likely to be created. The figure assumes that the current general arrangements in place with respect to composite classes continue, but does not include an assessment of the additional capital costs of new classrooms. From 1 July 1999 this will be a matter for the Scottish Parliament.

Schools (Capital Investment)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of total capital investment in Scotland's schools for *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–01 and *(e)* 2001–02; and if he will make a statement. [70355]

Mrs. Liddell: From returns made by local authorities to The Scottish Office, the estimated capital expenditure on schools in 1997–98 was £120.799 million and the forecast figure for 1998–99 is £166.881 million. Estimates for the later years are not collected centrally. However, following the Comprehensive Spending Review, the Government expect further additional expenditure by authorities on school buildings amounting to £185 million over the three years from April 1999. School Public/Private Partnership projects with a capital value of almost £400 million are being supported in nine authorities. From 1 July 1999 this will be a matter for the Scottish Parliament.

Superquarry (Lingerbay)

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland when he expects to receive the conclusions of the Reporter to the public inquiry into the proposals for a superquarry at Lingerbay on the Isle of Harris; when he will make a decision; what assessment he has made of the costs of retaining the reporter since her retirement; and if he will make a statement. [70353]

Mr. Macdonald: The Reporter expects to complete her report and recommendation for submission to my right hon. Friend by the end of March. Once the report has been received, every effort will be made to announce an early decision.

The Reporter has, since her retirement in December 1996, received fees and expenses of some £51,000 in respect of her continuing work on the Lingerbay report.

From 1 July 1999 this will be a matter for the Scottish Parliament.

World Heritage Sites

Mr. Matthew Taylor: To ask the Secretary of State for Scotland, pursuant to his answers of 7 December 1998, *Official Report*, columns *31–32*, on World Heritage sites, (1) if he will place in the Library a copy of the Government's consultation documents; [68839]

(2) if he will list the organisations in Scotland which *(a)* were consulted and *(b)* responded; and if he will list whom at Scottish Natural Heritage was consulted. [68838]

Mr. Alan Howarth: I have been asked to reply.

Copies of the Consultation Paper were placed in the Library of the House on 21 August 1998. The information is not presently available in the form requested. I shall therefore write to the hon. Member shortly with a list of those organisations across the United Kingdom and overseas which were consulted and those which responded, and will place copies in the Library of the House. Responses will be made available for public inspection in due course.

SOCIAL SECURITY

Pensions

Mr. Field: To ask the Secretary of State for Social Security (1) if he will estimate the public expenditure costs for each of the next five decades of *(a)* SERPS and *(b)* the state second pension; [65014]

(2) if he will list the projected public expenditure costs of *(a)* SERPS and *(b)* the state second pension over each of the next five decades. [65169]

Mr. Timms *[holding answer 11 January 1999]*: The information is in the table.

The estimated gross public expenditure costs

£ billion 1998–99 prices

Year	*SERPS*	*SSP*	*Difference, net of income related benefit effects*
2010	9.4	9.0	–0.4
2020	12.0	11.9	–0.3
2030	14.0	15.6	0.5
2040	14.0	18.8	2.5
2050	14.6	25.1	6.2

Notes:

1. This shows the net public expenditure effects of the difference between the costs of SERPS and Second State Pension (SSP), taking into account the effects of income related benefits.
2. The SSP figures include all expenditure on State second-tier pensions, including SERPS pensions already in payment and pre-2002–03 SERPS accruals yet to come into payment.
3. These figures exclude the effect of the introduction of stakeholder pensions, which is expected to lead to higher levels of contracting out.

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the number of carers in each of the next five decades who will be credited in to the new state second pension. [64852]

Mr. Timms: It is not possible to make a precise forecast of the numbers of carers who will qualify for credits into the new State Second Pension in each of the next five decades. For costing purposes, it has been assumed that around 2½ million carers each year will qualify for State Second Pension credits over the period concerned. This includes 2 million cases where Child Benefit is in payment for a child aged 5 and under.

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the number and proportion of workers who will qualify on grounds of low income for the new state second pension *(a)* at its inception and *(b)* at each 10 year interval for five decades after the scheme's introduction. [64940]

Mr. Timms *[holding answer 11 January 1999]:* At the scheme's inception, it has been assumed that around 20 per cent. of contributing employees (some 4 million) will be contracted in to the State Second Pension and have earnings below £9,000 a year in today's terms. This percentage may grow slightly over subsequent decades as real earnings increases bring proportionately more employees above the Lower Earnings Limit for National Insurance contributions.

Mr. Field: To ask the Secretary of State for Social Security if he will estimate how many disabled people will qualify for credits for the second state pension in each of the next five decades. [64851]

Mr. Timms: It is not possible to make a precise forecast of the numbers of disabled people who will qualify for credits into the new State Second Pension in each of the next five decades. For costing purposes, it has been assumed that around 2 million disabled people each year will qualify for State Second Pension credits over the period concerned (with variations of up to 200 thousand in any single year).

Mr. Field: To ask the Secretary of State for Social Security if he will list over the next five decades the net impact on the employee National Insurance contribution rates following the introduction of State Second Pensions. [65170]

Mr. Timms *[holding answer 11 January 1999]:* The information is as follows:

The estimated percentage employee National Insurance contribution rates for each of the next five decades following the introduction of the State Second Pension

Year	*Current policy (SERPS)*	*State Second Pension*
2010	8.5	8.5
2020	8.1	8.3
2030	8.3	8.7
2040	7.7	8.3
2050	6.8	7.9

Notes:

1. These figures exclude the effect of the introduction of stakeholder pensions, which is expected to lead to higher levels of contracting out.

2. The current employee National Insurance contribution rate (not contracted out) is 8.95 per cent. (after excluding the NHS Allocation).

Mr. Webb: To ask the Secretary of State for Social Security what principles will govern the annual indexation arrangements for the proposed State Second Pension once it has been implemented. [70597]

Mr. Timms: As explained in the Green Paper on pensions "Partnership in Pensions" the new thresholds of £9,000 and £18,500 for the State Second Pension, on which we are consulting, will be uprated in line with average earnings.

Payments of the State Second Pension will be uprated in line with prices, as the Additional Pension earned from the State Earnings Related Pension Scheme is currently.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the value of the total income from basic state pension and stakeholder pensions relative to the value of the minimum pension guarantee of someone earning £10,000 per annum through their working life assuming (i) price indexation of the minimum pension guarantee and (ii) earnings indexation of the minimum pension guarantees, and, in each case, that the only sums paid into the stakeholder pension were National Insurance rebates. [70626]

Mr. Timms: The State Second Pension is designed to ensure that any person earning above the National Insurance Lower Earnings Limit, or caring, for a 49 year working life will have an income in excess of the Minimum Income Guarantee level.

A person who earns £10,000 per annum in 1998 earnings terms throughout their working life would, on the basis of having paid only their National Insurance rebates into a stakeholder pension scheme, receive a total income from the basic State Pension and stakeholder pension of £83 per week (in 1998 earnings terms). This represents 110 per cent. of the Minimum Income Guarantee (MIG) level where the MIG is raised in line with earnings. If the MIG were raised in line with prices, this sum would be 240 per cent. of the MIG level. As explained in the Green Paper "Partnership in Pensions", the structure of contracting out rebates will be reviewed in light of stakeholder pension schemes.

Notes:

1. It has been assumed, in line with normal Government Actuary's Department (GAD) assumptions for calculating the contracted out rebates, that the amount received from a rebate-only stakeholder pension would be equal to the amount received from the State Second Pension. If the rate of return was higher than that normally assumed by GAD (ie, 4 per cent. above price inflation), the amount received would increase.

2. The hypothetical individual in this example is assumed to begin work at 16 years old in 2002 and work for 49 years until retirement.

3. Only National Insurance rebates are paid into the stakeholder pension scheme.

4. Real earnings growth is assumed to be 1.5 per cent.

5. Figures are rounded to the nearest pound.

6. Percentages are rounded to the nearest 5 per cent.

Minimum Income Guarantee

Mr. Field: To ask the Secretary of State for Social Security what definition of average earnings will be used with respect to the commitment to uprate the minimum income guarantee in line with average earnings. [67759]

Mr. Timms: The Minimum Income Guarantee will be increased year by year as resources allow. Our aim is that over the longer term, it should rise in line with earnings so that all pensioners can share in the rising prosperity of the nation. To do this we intend to monitor the movement on average earnings across the whole economy.

Pensioners (Age Addition)

Mr. Webb: To ask the Secretary of State for Social Security by how much it would have been possible to increase the age addition for pensioners aged over 80 years, taking account of savings in means-tested benefits and higher income tax revenues, if the £2.5 billion allocated to the pensioner income guarantee had instead all been allocated to this purpose. [68861]

Mr. Timms *[holding answer 2 February 1999]:* The £2.5 billion package of measures to tackle pensioner poverty over the next three years includes provision for the Minimum Income Guarantee and Winter Fuel Payments as well as free eye tests for the over 60s and concessionary travel. We have assumed expenditure of about £0.8 billion a year.

A net increase in expenditure of £0.8 billion on the age addition in 1999–2000 would result in an estimated weekly increase of about £11.90.

Work Profiles

Mr. Field: To ask the Secretary of State for Social Security what proportion of people have worked for *(a)* 0 to five years, *(b)* six to 10 years, *(c)* 11 to 15 years, *(d)* 16 to 20 years, *(e)* 21 to 25 years, *(f)* 26 to 30 years and *(g)* 30 years or more of their working life; and if these data can be presented for (i) (1) men and (2) women and (ii) those in each income quintile. [68635]

Mr. Timms: *[holding answer 1 February 1999]:* The information is not available in the format requested. Such information as is available is in the tables.

Men aged 54 at 5 April 1996

Percentage

Number of years worked	*All employed or self-employed*	*Self-employed at any time*	*Employed earners only*
0–5	10	—	10
6–10	4	—	4
11–15	4	1	3
16–20	4	1	3
21–25	5	1	3
26–30	6	2	4
30 or more	66	20	48
Total	100	26	74

Men aged 54 at 5 April 1996

Percentage

	Employed earners only					
	Reckonable earnings from class 1 NICs during 1995–96					
Number of years worked	*Nil*	*£1-£4,575*	*£4,576 £9,151*	*£9,152-£13,727*	*£13,728 £18,303*	*£18,304 and over*
0–5	10	—	—	—	—	—
6–10	4	—	—	—	—	—
11–15	3	—	—	—	—	—
16–20	2	—	—	—	—	—
21–25	3	—	—	—	—	—
26–30	3	—	—	—	—	—
30 or more	10	2	3	8	9	15
Total	34	3	4	8	9	16

Women aged 54 at 5 April 1996

Percentage

Number of years worked	*All employed or self-employed*	*Self-employed at any time*	*Employed earners only*
0–5	14	—	14
6–10	11	—	11
11–15	10	1	9
16–20	12	1	11
21–25	14	1	13
26–30	17	1	16
30 or more	22	1	20
Total	100	5	95

Women aged 54 at 5 April 1996

Percentage

	Employed earners only					
	Reckonable earnings from class 1 NICs during 1995–96					
Number of years worked	*Nil*	*£1-£4,575*	*£4,576-£9,151*	*£9,152-£13,727*	*£13,728-£18,303*	*£18,304 and over*
0–5	14	—	—	—	—	—
6–10	11	—	—	—	—	—
11–15	7	1	—	—	—	—
16–20	7	2	1	1	—	—

Women aged 54 at 5 April 1996

Percentage

Number of years worked	*Nil*	*Employed earners only* *Reckonable earnings from class 1 NICs during 1995–96* *£1-£4,575*	*£4,576-£9,151*	*£9,152-£13,727*	*£13,728-£18,303*	*£18,304 and over*
21–25	6	2	2	1	—	—
26–30	6	3	4	2	1	1
30 or more	6	3	4	4	2	2
Total	57	10	13	8	4	3

Notes:

1. The answer is based on those aged 54 years old at 5 April 1996. This is the only age group at present on which full annual details of their National Insurance (NI) record is known, since the commencement of their working life i.e. aged 16 during the 1957/58 tax year.
2. Those shown in the tables are those who have had earnings from employment or self-employment and paid National Insurance Contributions (NICs) during a tax year. It does not therefore contain details of anyone who may have had earnings below the weekly lower earnings limit for NICs in any one tax year or other source of income.
3. If self-employed NICs have been paid in any tax year then details of the number of years worked, self-employed or employed, have been shown in the self-employed at any one time column.
4. Those who have had employed earnings and paid NICs during their working life to date have been shown in each earnings quintile by the amount of earnings on which NI has been paid during the tax year 1995–96. The upper earnings limit for 1995–6 was £22,880.
5. Percentages have been calculated as percentages of all 54 year olds which are held on the LLMDB. This may include some people who do not now reside in Great Britain although at some point in their working life have paid into the National Insurance system.
6. Percentages have been rounded to the nearest whole number.
7. "—" denotes less than 0.5 per cent.

Source:

Lifetime Labour Market Database (LLMDB) which contains a 1 per cent. sample of the National Insurance Recording System (NIRS) taken at February 1997.

Disability Living Allowance

Mr. Oaten: To ask the Secretary of State for Social Security (1) if he will list the groups of disabled people which will automatically be exempted from the new system of periodically reviewing awards of disability living allowance; [69224]

(2) if the proposed system of periodically reviewing awards of disability living allowance announced on 28 January will include the safeguards announced on 9 February 1998 in respect of the Benefit Integrity Project. [69220]

Mr. Bayley: From April 1999 a new system of periodically reviewing entitlement to Disability Living Allowance (DLA) will be introduced. We intend to incorporate the lessons already learned and to evaluate and refine the process as it develops. At the outset not only will DLA recipients whose cases were examined by the Benefit Integrity Project (BIP) be excluded from the process but also people in any one of the specific categories previously excluded from the action of the BIP which are listed below.

Groups to be excluded at the outset:

1. People receiving the higher rate of the DLA mobility component and either the highest or the middle rate of the DLA care component who are:

Paraplegic

Tetraplegic

Quadriplegic

Both deaf and blind

Double amputees

Severely Mentally Impaired[1]

Over the age of 65, or

With an award made prior to April 1992

2. People receiving the higher rate of the DLA mobility component and the highest rate of the DLA care component with:

Cystic Fibrosis

Dementia

Haemodialysis

Hyperkinetic Syndrome

Learning difficulty

Multiple Allergy Syndrome

Multiple Sclerosis

Motor Neurone Disease

Neurological Disease (including Muscular Dystrophy)

Parkinson's Disease

Total Parenteral Nutrition, or

Who are terminally ill

3. People with a fixed period award due to end within the next three years will also be excluded. Safeguards developed and introduced during the lifetime of the BIP will be carried forward into the new process. This will include the changes in evidence gathering introduced on 9 February 1998; which ensured that no decision to reduce or remove entitlement to DLA is based solely on the information provided by the claimant.

[1] This category applies only to certain people within these broad definitions.

Minimum Wage

Ms Buck: To ask the Secretary of State for Social Security what estimate he has made of the effect of the introduction of the minimum wage on the average gross weekly earnings of disability working allowance claimants. [69751]

Mr. Bayley: The average gross weekly earnings of Disability Working Allowance recipients will increase from £99 to £106.60 in 1999–2000 prices.

Notes:

1. Around 1.25 per cent. of DWA recipients will float off the benefit on payment of the minimum wage, and have been excluded in deriving the second figure.
2. Unsuccessful claimants will remain as such on payment of a minimum wage.
3. Analysis allows that partner's earnings may also increase on payment of minimum wage.
4. Analysis based on 100 per cent. count of DWA recipients.

Source:

Disability Working Allowance Statistics Quarterly Inquiry, July 1998.

Ms Buck: To ask the Secretary of State for Social Security what estimate he has made of the effect of the introduction of the minimum wage on the average gross weekly earnings of the main earners in families in receipt of family credit. [69749]

Angela Eagle: Average gross weekly earnings of main earners in families in receipt of Family Credit are estimated to increase from £121 to £129 at 1999–2000 prices.

Notes:

Around 3 per cent. of Family Credit (FC) recipients are estimated to float off benefit after the introduction of the minimum wage. These have been excluded in deriving the second figure.

Estimates based on a 5 per cent. sample of FC recipients and the 1995–6 Family Resources Survey uprated to 1999–2000 prices.

Estimates assume no restoration of earnings differentials above the minimum wage and no employment effects.

Analysis shows that partners earnings may also increase on introduction of the minimum wage.

Ms Buck: To ask the Secretary of State for Social Security what estimate he has made of the effect of the introduction of the minimum wage on the number of disability working allowance claimants with gross weekly earnings of *(a)* under £40, *(b)* £40 to £79.99, *(c)* £80 to £119.99, *(d)* £120 to £159.99, *(e)* £160 to £199.99, *(f)* £200 to £249.99, *(g)* £250 to £300 and *(h)* £300 and over. [69752]

Mr. Bayley: The information is in the table.

Status of disability working allowance (DWA) recipients after payment of minimum wage for 1999–2000

			Earnings		
Group	*All*	*Under £40*	*£40 to £79.99*	*£80 to £119.99*	*£120 to £159.99*
All	19,300	530	6,070	5,130	4,370
Earnings above Minimum Wage	10,840	500	2,190	2,990	2,350
Gain from Minimum Wage, Same DWA	2,170	10	2,130	20	*
Gain from Minimum Wage, Less DWA	6,050	30	1,720	2,070	1,940
Gain from Minimum Wage, Float off DWA	240	*	30	50	70

		Earnings		
Group	*£160 to £199.99*	*£200 to £249.99*	*£250 to £299.99*	*£300 and over*
All	1,900	890	300	90
Earnings above Minimum Wage	1,660	80	260	90
Gain from Minimum Wage, Same DWA	*	*	*	*
Gain from Minimum Wage, less DWA	200	60	20	*
Gain from Minimum Wage, Float off DWA	40	30	10	*

Notes:

1. Figures may not add up due to rounding, and will not be accurate to nearest 10
2. "*" represents a figure less than 5
3. No benefit unit with a Disability Working Allowance (DWA) recipient will be worse off after the introduction of the minimum wage and those with higher earnings will have higher total income
4. This is the first time the aggregate population figure has been used in the public domain, and is consistent with the Pre-Budget Report
5. Unsuccessful claimants will remain as such on payment of minimum wage
6. Analysis allows that partner's earnings may also increase on payment of minimum wage
7. Some self-employed DWA recipients report no earnings, and it is assumed this practice will be unaffected by the introduction of the minimum wage
8. Analysis based on a 100 per cent. count of DWA recipients

Source:

Disability Working Allowance Statistics Quarterly Inquiry, July 1998

Family Credit

Mr. Hancock: To ask the Secretary of State for Social Security what research his Department has commissioned on the financial effect on families of the additional family credit benefits paid to those who work 30 hours or more. [69850]

Angela Eagle: There has been no research commissioned specifically to examine the financial impact of the 30 hour credit on couple family finances. However, starting in 1991 the Department has carried out a series of surveys as part of the Programme of Research into Low Income Families (PRILIF).

The first survey, in 1991, included couple and lone parent families. Since that time the focus has been on lone parents. One of the key objectives of this research has been to explore the impact of Family Credit on lone parent family finances in relation to work. The report "Lone Parents on the Margins of Work", published in the Department's Research Series in 1998, used data from the 1994 survey of lone parents[1] to make a preliminary estimate of the likely impact of the 30 hour credit on incentives to work among lone parents.

[1] These data were collected prior to the introduction of the 30 hour credit in Family Credit.

Mr. Hancock: To ask the Secretary of State for Social Security what was the average family credit award in 1997–98 in the Portsmouth area. [69687]

Angela Eagle: A complete set of data for the whole of 1997–1998 will not be available until April 1999. The latest information is for August 1998 at which time the average award of Family Credit in the Portsmouth Local Authority District was £59.80 per week.

Note:

Figure is based on a 5 per cent. sample of all Family Credit awards and as such is subject to a degree of sampling error.

Source:

Family Credit Quarterly Statistical Enquiry, August 1998.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Social Security if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69770]

Mr. Timms: Lists of those organisations and academics who responded to our consultation papers, excluding those who requested confidentiality, have been placed in the House Libraries. Copies of their responses are available on request from the Department.

Responses are assessed as individual policy areas are developed and announcements made.

Minimum Pension Guarantee

Mr. Rammell: To ask the Secretary of State for Social Security what would be the cost to public funds of increasing the basic state pension to the level of the minimum pension guarantee. [70256]

Mr. Timms: I refer my hon. Friend to the written answer my hon. Friend the then Minister of State, Department of Social Security gave my hon. Friend the Member for Newport, West (Mr. Flynn) on 18 November 1998, *Official Report*, columns *624–25*.

Widows' Pensions

Miss Geraldine Smith: To ask the Secretary of State for Social Security what changes there will be to widows' pensions after 2000 resulting from legislation enacted prior to 1 May 1997. [70326]

Mr. Timms: As a result of legislation enacted prior to 1 May 1997, the amount of SERPS which a widow can inherit from her late husband is being reduced from 100 per cent. to 50 per cent. for a woman widowed on or after 6 April 2000. Widows already receiving inherited SERPS will not be affected.

This change was part of a package of SERPS reforms introduced by the Social Security Act 1986. Other changes included a phased reduction in the rate at which SERPS pensions build up, from 25 per cent. of reckonable earnings to 20 per cent., and the ending of the "best 20 years" provision.

Housing Benefit

Miss McIntosh: To ask the Secretary of State for Social Security what representations he has received about allegations concerning the claiming of UK housing benefit by non-EU citizens residing in EU member states; and if he will make a statement. [70426]

Angela Eagle: We have received no representations. Housing Benefit is available to help people living in Great Britain meet the rent liability on the dwelling they occupy as their home, provided they satisfy the other conditions of entitlement for that benefit.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the number of people in families with someone in full-time work receiving amounts of housing benefit of less than *(a)* £10 per week, *(b)* £15 per week, and *(c)* £20 per week. [70627]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

The number of people in families in Great Britain in receipt of housing benefit but not Income Support nor income-based Jobseeker's Allowance, and where either the claimant or partner has earnings

Housing Benefit (per week)	*Number*[1]
Less than £10	89,000
Less than £15	165,000
Less than £20	242,000

[1] Number rounded to the nearest thousand.

Notes:

1. It has been assumed that families means lone parents or couples with dependant children.

2. Information on the number of hours worked is not collected, so it is not possible to distinguish between full-time and part-time work.

Source:

Housing Benefit Management Information System, annual 1 per cent. sample inquiry without Income Support, taken at the end of May 1997.

National Insurance

Ms Rosie Winterton: To ask the Secretary of State for Social Security if he will estimate the additional income to public funds if *(a)* class 2 contributions and *(b)* class 4 contributions were levied at the same rate as class 1 contributions. [70427]

Mr. Timms: If the self-employed contributed at the combined employee and employer Class 1 rate, the estimated additional contribution revenue would be £5.1 billion for the year 1999–2000.

Ms Rosie Winterton: To ask the Secretary of State for Social Security how many persons made national insurance *(a)* class 2 contributions and *(b)* class 4 contributions in each of the last five fiscal years. [70429]

Mr. Timms: The information is not available in the format requested. Such information as is available is in the table.

Million

Fiscal year	*Class 2 contributors*[1, 3]	*Class 4 contributors*[2, 3]
1991–92	2.4	2.1
1992–93	2.3	2.0
1993–94	2.4	2.0
1994–95	2.4	2.0
1995–96	2.3	2.0
1996–97	—	1.9

[1] Figures for the number of people paying Class 2 contributions are taken from the Lifetime Labour Market database which contains a 1 per cent. sample of the National Insurance Recording System taken at February 1997. Information about the total number of Class 2 contributors is not yet available for 1996–97.

[2] The figures for Class 4 contributors are based on estimates derived from an analysis of income reported to the Inland Revenue. The information is based on samples of around 25,000 self-employed individuals for each year.

[3] Figures have been rounded to the nearest hundred thousand.

Ms Rosie Winterton: To ask the Secretary of State for Social Security if he will estimate the cost of allowing national insurance class 4 contributors to be entitled to *(a)* Incapacity Benefit and *(b)* retirement pension. [70433]

Mr. Timms: Class 4 National Insurance contributions are payable in addition to Class 2 contributions on profits from self-employment above a certain level. The self-employed can already qualify for Incapacity Benefit and basic State Retirement Pension through payment of Class 2 contributions.

Ms Rosie Winterton: To ask the Secretary of State for Social Security what were the total receipts from *(a)* class 2 contributions and *(b)* class 4 contributions in each of the last five fiscal years expressed (i) in cash terms and (ii) at September 1998 prices. [70428]

Mr. Timms: The information is in the table.

Total receipts of class 2 and class 4 national insurance contributions

GB £ million

	Cash terms		*September 1998 prices*	
Year	*Class 2*	*Class 4*	*Class 2*	*Class 4*
1993–94	652	749	757	870
1994–95	663	764	749	863
1995–96	681	803	746	879
1996–97	711	900	761	962
1997–98	720	977	745	1,011

Self-employed Persons

Ms Rosie Winterton: To ask the Secretary of State for Social Security how many self-employed persons had earnings of *(a)* less than £9,000, *(b)* £9,000 to £12,000, *(c)* £12,000 to £15,000, *(d)* £15,000 to £18,000 and *(e)* over £18,000, in the last year for which figures are available. [70431]

Mr. Timms: The information is in the table.

Earnings (£)	*Number of self-employed persons*
Less than 9,000	1,490,000
9,000 to 12,000	390,000
12,000 to 15,000	310,000
15,000 to 18,000	290,000
Over 18,000	730,000

Notes:

1. Estimates are subject to sampling error and to variability in non response.
2. The earnings of a person who was self employed in a job/business were calculated from respondents' answers to questions on either their monthly withdrawals from bank/building society accounts for non-business purposes, or their own estimate of monthly income from their job/business.
3. Total earnings are based on the earnings of people who were self-employed in their main job, plus earnings that they might have had from any second or third jobs in which they could have been either self-employed or employees.
4. Data on the number of self-employed persons are rounded to the nearest ten thousand.

Source:

1996–97 Family Resources Survey (GB), which is the latest year for which data are available.

Departmental Cash and Running Costs Limits

Kali Mountford: To ask the Secretary of State for Social Security if he will make a statement on changes in the *(a)* cash limits and *(b)* running costs of his Department for 1998–99. [71249]

Mr. Timms: Subject to the Parliamentary approval of the necessary Supplementary Estimate the cash limit for Class XII Vote 3 will be increased by £71,694,000 from £1,972,331,000 to £2,044,025,000.

The Estimate takes account of increased requirements of £12,700,000 (running costs) for the administration costs associated with the Winter Fuel payments, £12,000,000 (running costs) towards the cost of the new payment card system, £175,000,000 (running costs) under the end year flexibility scheme as announced by my right hon. Friend, the Chief Secretary to the Treasury, on 14 July 1998, *Official Report*, columns *131–36* and an increase of £4,078,000 (capital) under the capital end year flexibility scheme.

Other changes result from a reduction of £6,798,000 (running costs) arising from the recalculation of JSA implementation costs offset by a corresponding increase on Class IX, Vote 3 (Education and Employment), a reduction of £102,000 (running costs) towards the cost of the National Childcare Strategy, offset by a corresponding increase on Class IX, Vote 1 (Education and Employment), a reduction of £415,000 (running costs) which represents an aggregate of a number of small transfers offset by a corresponding increase on Class VII, Vote 1 (Lord Chancellor's and Law Officers' Departments), an increase of £1,191,000 (running costs) offset by a corresponding reduction on Class XI, Vote 1, Class XIII, Vote 4 and Class XIV, Vote 4, a reduction of £310,000 (running costs) for costs relating to Decision Making and Appeals offset by a corresponding increase on Class IX Vote 3 (Education and Employment), an increase of £1,455,000 (running costs) in connection with the cost implication for DSS of the Scotland Bill offset by a corresponding reduction on Class XIII, Vote 6 (Scottish Office Administration), a reduction of £60,000 (running costs) for the expenses of the Student Grant Unit offset by a corresponding increase on Class XI, Vote 1 (Department of Health) and an increase of £334,000 (capital) as a result of a transfer from Class V, Vote 1 (Trade and Industry and Export Credit Guarantee Department). Further transfers arise from an increase in running cost cover of £196,000 for services provided to Department of Health and Social Services (Northern Ireland), £200,000 for expenses associated with the provision of legal services provided to Department of Health and £179,000 for services provided to other Government Departments. There is also a reduction of £1,900,000 (running costs) arising from the Machinery of Government change to transfer responsibility for the Women's Unit to Cabinet Office (Class XVII, Vote 1).

There is an increase of £60,765,000 in running costs to take account of the reclassification of VAT refunds on contracted out services and an increase of £451,000 in the running cost limit due to a shortfall in running cost related receipts. Also an increase of £11,168,000 resulting from the virement from capital expenditure to running costs. Cash Limit changes of £190,195,000 arise from an increase in appropriations in aid and a change to the net running cost controlled area of the Vote.

Changes in the Welfare to Work running cost provision arise from a reduction of £70,000 for costs associated with the Lone Parent project team costs offset by a corresponding increase on Class IX, Vote 1 (Education and Employment), an increase of £1,133,000 in the administrative costs associated with measures to help people with a disability or long term illness move into or remain in work and a requirement of £413,000 for the costs relating to the programme for partners of the unemployed.

As a result of these changes the running cost limit of this Department (within the Control Total) will be increased by £204,955,000 from £2,975,679,000 to £3,180,634,000 and the running cost limit for the Welfare to Work programme (outside the Control Total) will be increased by £1,476,000 from £27,620,000 to £29,096,000.

The cash limit on Class XII, Vote 1 has been reduced by £10,350,000 from £22,200,000 to £11,850,000 as a result of a transfer of resources to Class IX, Vote 3 (Education and Employment) for costs associated with the Welfare to Work initiative for Lone Parents.

Increases will be offset by transfers or charged to the Reserve and will not therefore add to the planned total of Public Expenditure.

WALES

Broadcasting

Mr. Öpik: To ask the Secretary of State for Wales what parts of the Representation of the People Acts will apply to the Welsh Assembly elections for the purpose of broadcasting in Wales; and if he will make a statement. [66181]

Mr. Michael: We propose to apply in the Assembly Elections Procedure Order provisions equivalent to those in section 92 of the Representation of the People Act 1983 which regulates broadcasting from outside the United Kingdom designed to influence voters in an election campaign.

We have consulted the political parties and broadcasters about including in the Order provisions equivalent to those in section 93 of the 1983 Act and have concluded that it is impracticable in the context of party list elections to apply that section. Broadcasters will therefore simply be bound to fulfil the normal requirements of fair and balanced coverage in reporting particular constituency or regional contests. The broadcasters have been working on new guidelines to cover the circumstances of the coming elections and all have agreed to respect those guidelines. The Government intend to review the situation after the elections in the light of experience during the campaign.

Section 93 of the Representation of the People Act 1983 lays down restrictions on broadcasting items about constituency campaigns during parliamentary elections; a broadcast focusing on a constituency may be vetoed by any candidate contesting that constituency. The original purpose of section 93 was to try to ensure equal treatment to candidates in the same electoral area. The broadcasters believe that section 93 is outdated (from a time when there were usually no more than 2 or 3 candidates per constituency) and inhibits their ability to provide meaningful coverage at election times. In an Assembly election, the section 93 provisions would enable any one of the list candidates in an electoral region to veto a broadcast about the campaign in that region.

Section 93 was not applied for the elections to the Northern Ireland Assembly. When we consulted on the draft Elections Procedure Order in October, we drew specific attention to the fact that we were proposing not to apply section 93 and invited comments. Only one political party responded, expressing mild concern but not outright opposition. The only other respondents were the broadcasters who were wholeheartedly in favour of non-application.

Caesarean Section Live Birth

Mr. Chaytor: To ask the Secretary of State for Wales if he will list, for each of the last 10 years, the percentage of live births delivered by caesarean section within each health authority in Wales. [67672]

Mr. Jon Owen Jones *[holding answer 28 January 1999]:* The following table shows, for each Health Authority and for Wales as a whole, the percentages of caesarean sections performed for those hospitals within the Health Authority which perform caesareans. Home births, births to Welsh residents outside Wales and births at other hospitals where caesareans are not undertaken are not included in the denominator. An additional Welsh total is given which shows caesarean sections performed in hospitals in Wales as a percentage of all live births to residents of Wales. Reliable data are not available for years prior to 1993.

Per cent. of births delivered by caesarean section

Health authority	*1993*	*1994*	*1995*	*1996*	*1997*
Gwent[1]	14.9	16.8	17.7	18.2	20.5
Bro Taf[1]	17.5	16.4	17.6	19.1	20.0
Dyfed Powys[1]	14.9	15.1	15.1	16.2	17.1
North Wales[1]	17.9	19.7	18.5	18.7	17.7
Morgannwg[1]	13.6	14.3	15.5	17.3	18.1
Wales[1]	16.0	16.6	17.1	18.1	18.9
Wales[2]	15.1	15.8	16.2	17.4	18.1

[1] Caesarean sections performed in hospitals which perform caesarean sections as a percentage of births that took place within those hospitals

[2] Caesarean sections performed in hospitals in Wales as a percentage of live births to residents of Wales

Sources:

All Wales Perinatal Survey and Confidential Enquiry into Stillbirths and Deaths in Infancy

Office for National Statistics (live births to residents of Wales)

Following the transfer of powers, this issue will be a matter for the National Assembly.

Hip Replacement Operations

Mr. Barry Jones: To ask the Secretary of State for Wales how many hip replacement operations were performed in Wales in 1998; and if he will make a statement. [69536]

Mr. Jon Owen Jones: Data for 1998 are not yet complete. There were 1,925 primary hip replacements performed in Wales in 1997.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Supernurses

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on supernurses. [69546]

Mr. Jon Owen Jones: The Prime Minister has asked the Secretary of State for Health to consider, in conjunction with the nursing profession, the introduction of nurse consultants. The Welsh Office are involved with the Department of Health and the profession in developing detailed proposals.

Following the transfer of power, this issue will be a matter for the National Assembly.

Food Standards Agency

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to fund by levy the Food Standards Agency from chain stores or stores of over 10,000 square feet; and if he will make a statement. [69535]

Mr. Jon Owen Jones: The Government's proposals for a levy scheme to fund the costs of the Food Standards Agency, including details of which premises would be required to pay, were published for consultation on 27 January. Copies have been placed in the Library of the House.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Mr. Llew Smith: To ask the Secretary of State for Wales if he will estimate the proportion of his Department's current budget which will be transferred to the Food Standards Agency under the proposed Food Standards Bill. [69591]

Mr. Jon Owen Jones: Current expenditure by the Welsh Office in relation to food safety (excluding that included in the local government revenue settlement) amounts to around £0.5 million per annum.

Following the transfer of powers, these issues will be a matter for the National Assembly.

Cataract Operations

Mr. Barry Jones: To ask the Secretary of State for Wales how many cataract operations were carried out in 1998 in north-east Wales; and if he will make a statement. [69541]

Mr. Jon Owen Jones: Data for 1998 are not yet complete. There were 2,833 cataract operations performed in hospitals situated in north-east Wales (Conwy, Denbighshire, Flintshire and Wrexham Unitary Authorities) during 1997.

Following the transfer of powers this issue will be a matter for the National Assembly.

Trainee Nurses

Mr. Barry Jones: To ask the Secretary of State for Wales how many trainee nurses there are in Wales; and if he will make a statement. [69548]

Mr. Jon Owen Jones: There were 2,346 people training as nurses in Wales at 30 November 1998 of which 663 are due to qualify in 1999. In addition a further 999 students will begin nurse training in 1999.

Student nurse numbers currently meet NHS Trusts' requirements for newly qualified recruits as identified in the Annual Workforce Plans. There are no recruitment problems to nurse training courses in Wales.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Radioactive Discharges (Sellafield)

Mr. Llew Smith: To ask the Secretary of State for Wales what assessment he has made of the potential risks to the Welsh coast from *(a)* radioactive discharges from Sellafield and *(b)* the transport of nuclear materials to and from Sellafield through the Irish Sea. [69602]

Mr. Jon Owen Jones: The Ministry of Agriculture, Fisheries and Food monitors a range of food, sediment and biota samples, on behalf of my right hon. Friend, to assess radiation levels and the radiological dose to those sections of the population most exposed on account of their diet or lifestyle. The Environment Agency also carries out monitoring of the radiation levels to assess public exposure from non-food pathways. MAFF and the Agency both publish annual reports on these monitoring programmes.

Government-funded research projects, during the past eight years, have assessed the effects of sea-spray aerosol in North Wales and of exposure to artificial radionuclides on marshland in the Dee Estuary. In addition, my right hon. Friend is currently funding the development of a mobile gamma radiation monitor in North Wales.

The International Maritime Organisation's "Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes in Flasks on board Ships" requires that vessels used to transport nuclear material have high standards of safety. This serves to protect any coastal areas past which they might sail. While on board ship, nuclear material is contained in packages which have been approved by the Department of the Environment, Transport and the Regions as meeting relevant national and international regulations.

Monitoring results confirm that radiation levels on the Welsh coast are a very small fraction of the exposure limits recommended by the International Commission on Radiological Protection.

In future, the monitoring of radiation and assessment of dose levels will be matters for the National Assembly. The regulation of movements by sea will not be transferred to the Assembly.

Welsh Assembly (Food Standards Legislation)

Mr. Llew Smith: To ask the Secretary of State for Wales if under the proposed food standards legislation, the Welsh Assembly will have the powers to ban *(a)* irradiated foodstuffs and *(b)* food using genetically modified organisms from sale in Wales. [69592]

Mr. Jon Owen Jones: The Welsh Assembly will have powers over food safety in Wales and will therefore have powers to make and amend secondary legislation relating to irradiated and genetically modified food. The Assembly's actions in respect of food safety will be subject to any obligations imposed upon the UK by EC legislation.

Acheson Report

Mr. Llew Smith: To ask the Secretary of State for Wales what steps he has taken to implement the recommendations of the report of the independent inquiry under Sir Donald Acheson into inequalities in health. [69589]

Mr. Jon Owen Jones: The recommendations are being considered as part of the Government's health strategy for England, on which a White Paper will be published soon. Although the report focused on inequalities in England, I am also considering the relevance of the recommendations to the public health strategy for Wales.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Ambulance Service

Mr. Llew Smith: To ask the Secretary of State for Wales what assessment he has made of the working conditions of the Ambulance Service in Wales; and if he will make a statement. [69534]

Mr. Jon Owen Jones: The working conditions for the ambulance services in Wales are a matter for the Welsh Ambulance Services NHS Trust. The Trust has recently completed a review of its estate and is consulting trade unions on a package to standardise the pay and conditions of service for staff across Wales. In addition, the Trust is developing a programme for replacing uniforms for all operational staff and has a vehicle replacement programme in place.

Following the transfer of powers, overall responsibility for the Health Service will be a matter for the National Assembly.

Special Advisers

Mr. Robert Jackson: To ask the Secretary of State for Wales if he will list *(a)* the names of the special advisers in his Department and *(b)* the issues in which they specialise; and if he will set out the level to which they have been security cleared. [70045]

Mr. Michael: The two Special Advisers within my Department are Gareth Williams and Julie Crowley. They advise me on the full range of issues for which I am responsible. They have been subject to the usual security clearance arrangements.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Wales if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69771]

Mr. Michael: My Department routinely publishes its collation and assessment of responses to public consultations where it is appropriate to do so across a wide range of responsibilities.

ME

Mr. Reed: To ask the Secretary of State for Wales if he will list the specialist units which provide services to chronic fatigue syndrome/ME patients in Wales. [70165]

Mr. Jon Owen Jones: All district general hospitals will provide specialist secondary care assessment of such cases as recommended by the Report of the Joint Working Group of the Royal Colleges of Physicians, Psychiatrists and General Practitioners in October 1996. Wales also has one tertiary clinic in the University of Wales which will accept referrals for specific cases.

Following the transfer of powers, this issue will be a matter for the National Assembly.

General Practitioners

Mr. Swayne: To ask the Secretary of State for Wales how many general practitioners were registered in Wales on 1 October 1998. [70058]

Mr. Jon Owen Jones: The latest available data relate to 1 October 1997 at which time there were 1,874 general medical practitioners in Wales, of which 1,753 were unrestricted principals. Data relating to 1 October 1998 will be available in the spring of this year and will be published by the NHS Executive in 'General Medical Services Statistics', a copy of which will be placed in the Library of the House.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Private Patients

Mr. Wigley: To ask the Secretary of State for Wales how many private patients received non-urgent treatment in NHS hospitals in Wales in *(a)* the last six weeks, *(b)* the last three months and *(c)* the last six months. [69677]

Mr. Jon Owen Jones: Information on the number of private patients who were admitted, as in-patients or day cases, for non-urgent treatment in NHS hospitals in Wales is given in the following table:

	Number
6 weeks to 31 December 1998	380
3 months to 31 December 1998	919
6 months to 31 December 1998	1,720

Following the transfer of powers, this issue will be a matter for the National Assembly.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Wales which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69939]

Mr. Michael: *(a)* The Local Government Boundary Commission (LGBC) publishes the minutes of its AGM. The Environment Agency Advisory Committee for Wales (EAACW) produces a summary of main issues in its Annual Report. The Welsh Committee for Professional Development of Pharmacy (WCPDP); the Welsh Dental Committee (WDC); the Welsh Medical Committee (WMC); the Welsh Nursing and Midwifery Committee (WNMC); the Welsh Optical Committee (WOC); the Welsh Pharmaceutical Committee (WPC); and the Welsh

Scientific Advisory Committee (WSAC) provide extracts from any minutes on request, plan to publish minutes in a newsletter and are investigating the use of a website. In addition the Social Services Inspectorate for Wales: Inspection Advisory Group (SSIW:AIG) is currently considering how best to make its minutes publicly available. This is not a statutory requirement;

(b) LGBC and the Library and Information Services Council (Wales) (LISC(W)) both publish the agendas of their AGMs. This is not a statutory requirement;

(c) all have, or are in the process of introducing, a Code of Practice for Board members, which requires the NDPB to maintain a register of members' interests which is open to the public. This is not a statutory requirement.

Following the transfer of powers, these issues will be a matter for the National Assembly.

Dr. Tony Wright: To ask the Secretary of State for Wales which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69915]

Mr. Michael: Cardiff Bay Development Corporation (CBDC); the Countryside Council for Wales (CCW); the Qualifications, Curriculum and Assessment Authority for Wales (ACCAC); the Further Education Funding Council for Wales (FEFCW); the Higher Education Funding Council for Wales (HEFCW); the Wales Tourist Board (WTB); the Welsh Development Agency (WDA); the Welsh Language Board (WLB); the Welsh National Board for Nursing, Midwifery and Health Visiting (WNB): and the agricultural wages committees all have a statutory base. All other executive NDPBs have been established by Royal Charter or Royal Warrant.

The Arts Council of Wales; CBDC; CCW; the Sports Council for Wales; WTB; WLB; and the agricultural wages committees are all open to the scrutiny of the Parliamentary Commissioner for Administration (PCA). The Government of Wales Act establishes a new office of Welsh Administration Ombudsman whose jurisdiction will include all the bodies listed above other than the agricultural wages committees who will continue to be subject to the PCA's jurisdiction unless and until the Assembly decides otherwise and a transfer is effected by order. The Act also allows for the National Assembly to add more bodies to the list of those who will be within the Welsh Ombudsman's jurisdiction.

Following the transfer of powers, these issues will be a matter for the National Assembly.

Dr. Tony Wright: To ask the Secretary of State for Wales which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69988]

Mr. Michael: *(a)* The Countryside Council for Wales (CCW); Welsh Language Board (WLB); the Sports Council for Wales (SCW); the Welsh Development Agency (WDA); and the Welsh National Board for Nursing, Midwifery and Health Visiting (WNB) admit the public to all Board meetings. This is not a statutory requirement.

(b) All except the agricultural wages committees hold, or are making arrangements to hold, meetings with the public, press and customers. This is not a statutory requirement.

(c) The Qualifications, Curriculum and Assessment Authority for Wales (ACCAC); ACW; Cardiff Bay Development Corporation (CBDC); the Further Education Funding Council for Wales (FEFCW); the Higher Education Funding Council for Wales (HEFCW); the National Museums and Galleries of Wales (NMGW); SCW; WDA; and WNB. This is a statutory requirement for ACCAC, FEFCW, HEFCW, and the WDA; for the NMGW it is a requirement of its Royal Charter.

(d) All except the agricultural wages committees have an appeal or complaints procedure in place. It is not a statutory requirement.

It is now policy to encourage such bodies in Wales to be as open as possible in their work and to bear in mind that following the transfer of powers, these issues will be a matter for the National Assembly.

Dr. Tony Wright: To ask the Secretary of State for Wales which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69957]

Mr. Michael: *(a)* The Arts Council of Wales (ACW); Cardiff Bay Development Corporation (CBDC); the Countryside Council for Wales (CCW); the Further Education Funding Council for Wales (FEFCW); the Higher Education Funding Council for Wales (HEFCW); the National Museums and Galleries of Wales (NMGW); the Sports Council for Wales (SCW); the Wales Tourist Board (WTB); the Welsh Language Board (WLB); and the Welsh National Board for Nursing, Midwifery and Health Visiting (WNB) all publish minutes or summary reports which are made available in a number of ways, for example, through newsletters, websites or press releases. The Qualifications, Curriculum and Assessment Authority for Wales (ACCAC) and the Welsh Development Agency (WDA) have plans to issue summary reports in the near future. The publication of minutes is not a statutory requirement.

(b) ACW; CCW; National Library of Wales (NLW); SCW; WLB; and WNB. Publication of the agendas and documents is not a statutory requirement.

(c) All executive NDPBs have a Code of Practice for Board members, which includes the requirement to maintain a register of members' interests which is open to the public. This is not a statutory requirement.

Following the transfer of powers, these issues will be a matter for the National Assembly.

Dr. Tony Wright: To ask the Secretary of State for Wales which of the advisory non-departmental public bodies sponsored by the Welsh Office *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69970]

Mr. Michael: *(a)* There is no statutory requirement for any of the advisory non-departmental public bodies sponsored by the Welsh Office to admit members of the public to all board or committee meetings and I am advised that none of them do so.

(b) The Library and Information Services Council (Wales) (LISC(W)) and the Local Government Boundary Commission (LGBC) already hold public meetings. The Welsh Committee for Professional Development of Pharmacy (WCPDP); the Welsh Dental Committee (WDC); the Welsh Medical Committee (WMC); the Welsh Nursing and Midwifery Committee (WNMC); the Welsh Optical Committee (WOC): the Welsh Pharmaceutical Committee (WPC); and the Welsh Scientific Advisory Committee (WSAC) plan to hold an AGM from 1999 onwards. This is not a statutory requirement.

(c) The Environment Agency Advisory Committee for Wales (EAACW) and the Social Services Inspectorate for Wales: Inspection Advisory Group (SSIW:IAG). This is not a statutory requirement.

Following the transfer of powers, these issues will be a matter for the National Assembly.

Welsh Police Forces (Funding)

Mr. Llwyd: To ask the Secretary of State for Wales what recent consultations there have been with the Welsh Local Government Association with regard to the funding of Welsh police forces for 1999–2000; and if he will make a statement. [70607]

Mr. Michael: The Welsh Local Government Association does not represent police authorities in Wales, consultation on the funding of police forces in England and Wales is a matter between the Home Office and the Association of Police Authorities, but I have recently responded positively to points raised by Welsh Police Authorities about technical calculations on the Welsh Office contribution to their financing.

Standard Spending Assessment

Mr. Llwyd: To ask the Secretary of State for Wales (1) what agreement was reached with the Welsh Local Government Association via the Consultative Council on the standard spending assessment formula for 1998–99 and 1999–2000; [70606]

(2) when he agreed with the Welsh Local Government Association not to update the standard spending assessment formula for 1999–2000; what consultations were entered into prior to such agreement; and if he will make a statement. [70605]

Mr. Michael: At a meeting of the Welsh Consultative Council on Local Government Finance on 27 October 1997 the Association agreed the SSA formula for 1998–99 and agreed that it would be rolled forward for 1999–2000 other than to reflect data changes. Accordingly the formula for 1999–2000, which was agreed at the Consultative Council on 13 November 1998, has remained unchanged other than to take account of data changes. I have commissioned an independent review of the formula in conjunction with the WLGA and following the transfer of powers, these issues will be a matter for the National Assembly.

Mr. Llwyd: To ask the Secretary of State for Wales what recent consultations there have been with the Welsh Local Government Association with regard to standard spending assessment. [70608]

Mr. Michael: There is regular contract between my officials and the WLGA on issues regarding local government finance in Wales. I met the Association's representatives in the Welsh Consultative Council on Local Government Finance on 15 December 1998, as part of the statutory consultation on the provisional local government revenue settlement.

Following the transfer of powers, this issue will be a matter for the National Assembly

Mr. Llwyd: To ask the Secretary of State for Wales what changes are proposed in the allocation of the capital charges element of standard spending assessment between local government and the police authorities in Wales for 1999–2000. [70609]

Mr. Michael: I have revised the methodology for calculating capital charges following representations made by Police Authorities in Wales when it became clear that the application of a common formula had resulted in a disproportionate and unintended impact on the Welsh Office share of police finances. As a result of the changes:

the formula now ignores interest receipts in the capital charges model for both police authorities and local authorities in Wales;

for the police, the allowance for Capital Expenditure from the Revenue Account (CERA) has been removed. CERA was removed for councils in 1998–99, and this change means that both tiers are being treated equally;

for the police, the assumption about repayment of loan debt principle has been reduced from 7 per cent. to 4 per cent. for 1999–2000. Again this means that both tiers are being treated equally.

Local Government Finance Settlement 1999–2000

Mr. Llwyd: To ask the Secretary of State for Wales what recent representations he has received from the leader of the Welsh Local government Association on the question of the local government finance settlement 1999–2000. [70610]

Mr. Michael: I received a letter from the leader of the Welsh Local Government Association, Councillor Harry Jones CBE, on 4 February 1999. The letter covered the changes between the provisional and final local government revenue settlement in particular the changes to the way capital charges are treated in the formula. I have replied explaining my decision to Councillor Jones and to the WLGA.

Social Housing (Heating)

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he is taking to accelerate the provision of central heating in older social housing in Wales. [70919]

Mr. Jon Owen Jones: It is for individual local authorities to decide on the priority they give to providing central heating from their housing capital programmes.

Following the transfer of powers, responsibilities in relation to Housing will be a matter for the National Assembly.

Departmental Cash and Running Costs Limits

Ms Lawrence: To ask the Secretary of State for Wales what changes he is proposing to make to *(a)* voted and *(b)* non-voted cash limits for his Department and the Office of Her Majesty's Chief Inspector of Schools in Wales for the current financial year. [71256]

Mr. Michael: Subject to Parliament's approval of the related Supplementary Estimates, I propose the following changes.

The cash limit on class XIV, vote 1 will be increased by £14,737,000 from £42,735,000 to £57,472,000 as result of an increase in the Hill Livestock Compensatory Allowance Scheme announced as part of the Farmers Package on 16 November 1998.

The cash limit on class XIV, vote 2 will be increased by £12,148,000 from £839,776,000 to £851,924,000. This increase results mainly from *(a)* an increase in the grant in aid of the Welsh Development Agency of £5,161,000 to compensate for receipts which will now be realised during 1999–2000 *(b)* an increase in the provision for Regional Selective Assistance of £8,775,000 to provide for the latest forecast of claims to be paid this year; *(c)* the take up of £1,962,000 to fund the Coalfields Regeneration Trust; and *(d)* a reduction in the Training budgets of £4,000,000 due to lower than expected demand for training courses funded out of Welsh Office budgets.

The cash limit on class XIV, vote 3 will be increased by £55,494,000 from £414,195,000 to £469,689,000. This increase results mainly from *(a)* an increase in the Central Government Roads programme of £10,000,000 to fund essential maintenance work *(b)* a transfer of provision for Housing of £51,943,000 from non-cash limited budgets to cash limited provision to effect the merger of Tai Cymru with the Welsh Office from 1 November 1998 (this is offset by a reduction in the non-voted cash limit for Tai Cymru); *(c)* an increase of £2,100,000 for the North Wales Child Abuse Inquiry; *(d)* an additional £1,800,000 for the Mental Handicap Strategy *(e)* £1,000,000 for the Looked After Children Development Fund *(f)* an increase of £300,000 in the grant in aid for the Wales Tourist Board for additional marketing *(f)* a reduction of £7,500,000 in the grant in aid for Cardiff Bay Development Corporation because of slippage on the Cardiff Bay Barrage project *(g)* a reduction of £3,500,000 in the provision for Transport Grant because of slippage on approved projects and *(h)* a reduction of £1,400,000 in this year's provision for the costs associated with Devolution.

The running costs limit on class XIV, vote 3 will be increased by £2,507,000 from £79,784,000 to £82,291,100 as a result of the merger of Tai Cymru and costs associated with the dissolution of the Welsh Health Common Services Authority.

The cash limit on class XIV, vote 4 will be increased by £12,705,000 from £2,116,930,000 to £2,129,635,000 mainly as a result of the Winter Emergencies money for the National Health Service announced in November and a transfer of £211,000 from class XI, vote 1 in respect of Professions Allied to Medicine. The external financing limit for NHS Trusts will be reduced by £3,006,000 from £52,676,000 to £49,670,000.

The cash limit on class XIV, vote 6 will be increased by £1,125,000 from £7,768,000 to £8,893,000 as a result of payments due this year for VAT.

There will be an increase in the non-voted local authority capital cash limit (WO/LACAP) of £4,200,000 from £373,444,000 to £377,644,000 to allow for an increase in the provision for Housing Renovation Grants.

The non-voted housing cash limit WO/TC has been wound-up as a result of the merger of Tai Cymru with the Welsh Office on 1 November 1998. The remaining provision has been transferred to the cash limit on class XIV, vote 3.

The increases will be offset by transfers or charges to the Reserve and will not therefore add to the overall level of planned public expenditure.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for Wales if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70407]

Mr. Michael: The items sold during 1997–98 by the Welsh Office and Cadw, its sole Executive Agency, from those listed in the National Asset Register were:

	£000
Welsh Office	
Land Rover (Plant and Machinery)	2
Cadw	
Cottage (Land and Buildings)	39
Miscellaneous mowers and dumpers (Plant and Machinery)	5
Total cash raised (Welsh Office and Cadw)	46

The Welsh Office has responsibility for over 50 associated public bodies included in the National Asset Register. The detailed information sought is not held centrally by the Department and could be provided only at disproportionate cost.

Nursery Provision

Mr. Willis: To ask the Secretary of State for Wales if he will estimate the annual cost of providing nursery provision in Wales for all three year olds whose parents want it, over and above the cost of the Government meeting its own target in this respect. [70246]

Mr. Hain: Over half of three year olds in Wales receive free, at least part-time, education in the maintained sector. This provision is at the discretion of individual local authorities and is funded from their available resources, essentially the annual local government revenue settlement.

The question of provision for all three year olds will be a matter for the National Assembly.

TRADE AND INDUSTRY

BSkyB/Manchester United

Mr. Bercow: To ask the Secretary of State for Trade and Industry which papers relating to BSkyB's takeover of Manchester United that were brought to his predecessor's attention and details of the meetings he attended with either BSkyB or Manchester United management will be published. [65643]

Mr. Byers *[holding answer 14 January 1999]:* My predecessor saw relevant papers. The policy of successive Secretaries of State has been not to hold meetings with interested parties on merger cases while matters are under consideration by the Director General of Fair Trading or the Secretary of State. My predecessor did not attend any meetings with either BSkyB or Manchester United management.

Export Licences

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry (1) if he will list the export licences granted to Alvis Vehicles Limited or Alvis subsidiary companies for the export of Saracen and Saladin armoured vehicles to Indonesia; [68327]

(2) if he will list the export licences granted to Alvis for the transfer of ammunition, machine guns and larger calibre guns to Indonesia since 1988. [68328]

Ann Clwyd: To ask the Secretary of State for Trade and Industry (1) if he will list the *(a)* open individual export licences which have been given to Alvis for the export of armoured vehicles to (i) Indonesia, (ii) Kenya, (iii) Belarus, (iv) Colombia, (v) Turkey, (vi) Sri Lanka, (vii) Malaysia, (viii) Singapore and (ix) Nigeria and *(b)* equipment that has been exported under such licences, since 1988; [68779]

(2) if he will list the export licences granted to *(a)* Alvis and *(b)* GKL Group for the transfer of (i) ammunition, (ii) machine guns and (iii) larger calibre guns to Indonesia since 1988; [68782]

(3) if he will list the licences granted for *(a)* Alvis and *(b)* GKL Group for the export of (i) armoured vehicles, (ii) components and (iii) weapons to Singapore since 1988; [68781]

(4) if he will list the licences granted to Alvis Vehicles Ltd. or Alvis's subsidiary companies for *(a)* the export of Saracen and Saladin armoured vehicles and *(b)* the supply of upgrade packages for Saracen and Saladin armoured vehicles to Indonesia since 1988. [68792]

Dr. Howells: Inquiries are being made under the Code of Practice on Access to Government Information. Where confidential information is involved, the parties concerned may be asked if they consent to its disclosure, and this can take some time. I will write to my hon. Friends as soon as possible, and place a copy of that letter in the Library of the House.

Intellectual Property Rights

Mr. Levitt: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the proposed EC copyright directive on rights of intellectual property in this country. [70112]

Dr. Howells *[holding answer 9 February 1999]:* The draft copyright Directive seeks to harmonise basic rights and exceptions to rights, and to implement a number of international obligations resulting from two new treaties in the copyright field (World Intellectual Property Organisation). United Kingdom copyright law, the Copyright, Designs and Patents Act 1988, already meets most of the requirements of the draft Directive and the new treaties, but some amendments will be needed. In particular, changes to UK law would be necessary to comply with the regime of compulsory and permitted exceptions in Article 5 of the Directive. Amendments would also be needed to give performers exclusive rights to control "on-demand" transmissions of recordings of their performances, to cater for the fact that protection of technical systems in Article 6 extends beyond what is currently provided in UK law, and to provide for the protection of electronic rights management information as set out in Article 7 of the draft Directive.

Electricity and Gas Industries

Mr. Wigley: To ask the Secretary of State for Trade and Industry if he will introduce legislation to protect consumers from unduly-aggressive doorstep sales techniques on behalf of utilities companies following deregulation of the domestic electricity and gas markets. [69676]

Dr. Howells: Misleading and over-aggressive doorstep selling practices are unacceptable. In relation to the gas and electricity markets, I have made my concerns clear to the Regulators and the industry on numerous occasions. In both sectors licence conditions have been put in place to help regulate the doorstep selling and marketing activities of gas and electricity suppliers. Also, the Association of Energy Suppliers have modified their code of practice so that members' sales representatives calling on the doorstep provide to consumers, on request, clear written information in relation to prices.

In addition, I have recently strengthened the Regulations governing doorstep selling, to improve the protection for vulnerable consumers. The amended Regulations came into force on 31 December 1998.

These give consumers greater protection because consumers who agree to a trader visiting following an unsolicited doorstep selling approach retain the right to cancel the contract within seven days. In addition, it is now a criminal offence for a trader not to give the consumer written notice of their right to cancel, (subject to exceptions, including where the agreement is cancellable under the Consumer Credit Act 1974).

I will shortly launch an information campaign informing consumers of their rights and warning them about the practices of unscrupulous doorstep sellers.

Arms Export Licences

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if the value of the order for arms exports is recorded at the time when licences are applied for; and if the value is shown on the licences. [70146]

Dr. Howells: Applicants for standard individual export licences are required to record on the application form the value of the goods for which a licence is sought; this information is recorded on ECO's computer databases.

However, where a licence is issued, the value of the goods covered by that licence may be less than the value of the goods covered by the original application. Exporters sometimes mistakenly apply for a licence to export goods for which no licence is required. In addition, goods are sometimes withdrawn from the coverage of an application during the licensing process, for example at the exporter's request or the value may change during the time taken to process the application because of changes in exchange rates. However, as it would in any case be misleading (because some licences are used only in part or not at all), the value of the goods licensed for export by each individual licence is not recorded on ECO's computer databases, although it is shown on the licence itself. HMC&E is responsible for the compilation of statistics on UK trade in goods.

Open licences allow the exporters concerned to make multiple shipments of the specified goods to the specified destinations in accordance with the licence conditions. While such licences do not normally impose any limit on the volume of exports that may be made under the licence, exporters are required as a condition of the licence to maintain records of all controlled exports for a minimum of three or four years depending on the goods. While these records may be examined by compliance officers in the course of routine compliance visits, the Export Control Organisation does not compile any central record.

Exports (Republic of Ireland)

Mr. McNamara: To ask the Secretary of State for Trade and Industry if he will list *(a)* the 10 companies which exported most, by volume, from Great Britain to the Republic of Ireland and *(b)* the 10 companies which exported most, by volume, from the Republic of Ireland to Great Britain, in the last financial year for which figures are available. [69709]

Mr. Wilson: The information requested is not available from any official sources. It is unlikely to be available from any other source.

Currency and Interest Rate Revaluation

Mr. Redwood: To ask the Secretary of State for Trade and Industry what estimate he has made of the impact on industrial costs resulting from *(a)* a 1 per cent. revaluation of the pound and *(b)* a 1 per cent. increase in interest rates. [69812]

Mr. Byers: The tough and decisive action taken by the Government on macroeconomic policy, including giving the Bank of England independence, will bring benefits to industry through long-term stability, in sharp contrast to the damaging cycle of boom and bust that cost industry so dear under the last Government.

Export Licence Applications

Mr. Hancock: To ask the Secretary of State for Trade and Industry what are the average times taken by other EU countries to process export licence applications to *(a)* Iran and *(b)* other countries. [70061]

Dr. Howells: The time taken by other member states to process export licence applications is a matter for them. The Government are committed to providing an efficient service to all applicants for export licences, irrespective of the destination.

Mr. Hancock: To ask the Secretary of State for Trade and Industry what was the *(a)* average time taken and *(b)* target time in which to determine export licence applications for (1) Iran and (2) other countries in the last year for which figures are available. [70064]

Dr. Howells: Licences to export arms and other goods controlled for strategic reasons are issued by my right hon. Friend, the Secretary of State for Trade and Industry, acting through the DTI's Export Control Organisation. All relevant individual licence applications are circulated by DTI to other Government Departments with an interest, as determined by them in line with their policy responsibilities. These include the Foreign and Commonwealth Office, the Ministry of Defence and the Department for International Development.

While the average length of time taken to process export licence applications is not recorded, performance is measured against two aims:

> to provide a substantive response to an application for a standard individual export licence (SIEL) within 20 working days of receipt for applications circulated to other Government Departments according to their policy requirements; and.
>
> for non-circulated cases, to provide such a response within 10 working days.

In each case, full documentation in support of the application must be provided by the applicant at the outset for these targets to apply. The performance measures also apply to written rating inquiries, but they do not apply to applications for Open Individual Export Licences (due to wide variations between goods and country coverage of such licences). The performance measures apply to all SIEL applications, irrespective of the destination, other than those concerning Iran or exports which are subject to control solely because of United Nations Sanctions.

Iran (Exports)

Mr. Hancock: To ask the Secretary of State for Trade and Industry for what goods UK firms require an export licence for exports to Iran. [70066]

Dr. Howells: The export controls administered by my Department are set out in The Export of Goods (Control) Order 1994, as amended, The Dual-Use and Related Goods (Export Control) Regulations 1996, as amended and Council Regulation (EC) 3381–94 and related Council Decision 94/942/CFSP, as amended.

All the goods covered by these controls require a licence for export to Iran except aircraft simulators and related software and technology, where the control is limited to Libya (see entries 9A993, 9D993 and 9E993 in Schedule 2 to the 1996 Regulations).

The Government's current policy with respect to Iran was set out in the answer given by my hon. Friend the Member for Manchester, Central (Mr. Lloyd) to my hon. Friend the Member for Rugby and Kenilworth (Mr. King) on 28 January 1998, *Official Report*, columns *273–74*.

Export Licence Inquiry Forms

Mr. Hancock: To ask the Secretary of State for Trade and Industry how many export licence inquiry forms his Department has received in each of the last three years for *(a)* Iran and *(b)* other countries. [70062]

Dr. Howells: The entry in the relevant legislation under which the export of goods is controlled is known as their rating. Exporters' written rating inquiries do not always specify the intended destination nor is this necessary as advice is given with respect to all relevant destinations and controls. The total numbers of such inquiries received in each of the last three years and the numbers that specified Iran as the only destination are as follows:

Year	*Iran*	*Total*
1996	216	1,712
1997	278	2,292
1998	311	2,427

Secondment of Officials

Mr. Robert Jackson: To ask the Secretary of State for Trade and Industry if he will list *(a)* the names of officials in his Department who are currently on secondment from private companies, *(b)* the companies by which they are employed and *(c)* their current responsibilities. [70044]

Dr. Howells: There are at present 135 individuals on secondment from private companies into the DTI. This figure includes Headquarters and Agencies Interchange but not Government Office Interchange as responsibility has been delegated.

Details of precise responsibilities are not held centrally but the following list shows the Directorates within which the secondees work.

DTI directorate	*Title*	*Name*	*Seconding company*
British National Space Centre	Mr.	Parker	Matra Marconi Space
Chemicals and Biotechnology	Mr.	Bartholomew	Unilever
Chemicals and Biotechnology	Dr.	Patel	Engineering & Physical Sciences Research Council
Communications and Information Industries	Mr.	Marshall	British Telecom
Communications and Information Industries	Mr.	Reid	ICL
Communications and Information Industries	Mr.	Baker	Ericsson Ltd.
Communications and Information Industries	Mr.	Baxter	BT plc
Company Law and Investigations	Mr.	Steadman	Lee & Allen Consulting Plc
Company Law and Investigations	Miss	Gibbins	Pricewaterhouse Coopers
Company Law and Investigations	Mr.	Marks	Silver Altman
Engineering Industries	Mr.	Jordan	Rover Group Ltd.
Engineering Industries	Mr.	Hyatt	Lockstair Ltd.
Engineering Industries	Mr.	Armitage	GKN Westland Helicopters
Export Promotion	Mr.	Wilson	Cable & Wireless plc
Export Promotion	Mr.	Marsh	Ove Arup & Partners
Export Promotion	Mr.	Taylor	Malcolm Hoyle Carpets Ltd.
Export Promotion	Mr.	Pape	Pirelli Cables Limited
Export Promotion	Mr.	Cohen	The British-Israel Chamber of Commerce
Export Promotion	Mr.	Simmons	Rover Group Ltd.
Export Promotion	Mr.	Burton	Jones Cranes Limited
Export Promotion	Mr.	Fuga	The Export Association
Export Promotion	Mr.	Banfield	Crosrol Ltd.
Export Promotion	Mr.	Burnham	North Cape (Scotland) Limited
Export Promotion	Mr.	Webber	Boxhome Limited
Export Promotion	Mr.	Blackwood	John Laing International Ltd.
Export Promotion	Mr.	Rathwell	Lancashire Enterprises plc
Export Promotion	Mr.	Jordan	Bank of Ireland
Export Promotion	Mr.	Khosla	Ove Arup & Partners
Export Promotion	Ms	Fitzgerald	Russo-British Chamber of Commerce
Export Promotion	Mr.	Bayne	John Laing International Ltd.
Export Promotion	Mr.	Lincoln	East European Trade Council
Export Promotion	Mr.	Evans	The Institute of Export
Export Promotion	Mr.	Scott	Prince Associates
Export Promotion	Mr.	Hall	Drinks Marketing Consortium
Export Promotion	Mr.	Brennan	British Aerospace plc
Export Promotion	Mr.	Suleiman MBE	General Traffic Ltd.
Export Promotion	Mr.	McClafferty	European Gas Turbines (GEC Alstrom)
Export Promotion	Mr.	Pearson	Morris Singer Limited
Export Promotion	Mr.	Johnson	NHS Supplies
Export Promotion	Mr.	Rosser	Hyder plc
Export Promotion	Mr.	Smeaton	Greenwich NatWest Employment Ltd.
Export Promotion	Mr.	d'Aronville	Toyoboshi UK Ltd.
Export Promotion	Mr.	Slawson	British Nuclear Fuels
Export Promotion	Mr.	Watford	Barclays Bank plc
Export Promotion	Mr.	Roberts	Frank Roberts & Sons Ltd.
Export Promotion	Ms	Fairbanks	The Export Association
Export Promotion	Mr.	Chislett	Thomas Chislett
Export Promotion	Mr.	Turley	Moody Cashmere Ltd.
Export Promotion	Mr.	Sproston	LG Mouchel & Partners
Export Promotion	Mr.	Salmon	Guiness Brewing Worldwide Ltd.
Export Promotion	Mr.	Steer	Etrl Europe Ltd.
Export Promotion	Miss	Forbes	General Accident
Export Promotion	Mr.	Williams	Beaumont Colson Ltd.
Export Promotion	Dr.	Sabberwal	G K Communications Group Ltd.

DTI directorate	*Title*	*Name*	*Seconding company*
Export Promotion	Miss	Dorothy	PWR (Electrical Services) Limited
Export Promotion	Mr.	Fry	British American Tobacco Company (Holdings) Ltd.
Export Promotion	Mr.	Cooke	Hong Kong & Shanghai Banking Corporation Holdings
Export Promotion	Mr.	Kershaw	ACO Technologies plc
Export Promotion	Mr.	Lidderdale	Crown Agents for Oversea Governments & Administrat
Export Promotion	Ms	Lynch	ICI Chemicals & Polymers Ltd.
Export Promotion	Miss	Moore	Natural Animal Feeds Ltd.
Export Promotion	Mr.	Eadie	Masters International (UK) Ltd.
Export Promotion	Mr.	Gazeley	Epinet Communications plc
Export Promotion	Mr.	Sharp	GEC Marconi Avionics Ltd.
Export Promotion	Mr.	Parke	Cookstown Enterprise Centre Ltd.
Export Promotion	Mr.	Bunting	Sonic Communications (International) Ltd.
Export Promotion	Mr.	Thorning	Unipart International
Export Promotion	Mr.	Jones	Eschmann Bros & Walsh Ltd.
Export Promotion	Mr.	Simpson	Russo-British Chamber of Commerce
Export Promotion	Mrs.	Ritchie	The Hosiery Manufacturing Co Ltd.
Export Promotion	Mr.	Haymes	The British Petroleum Company plc
Export Promotion	Mr.	Rodwell	British Marine Equipment Council Ltd.
Export Promotion	Mr.	Layden	The Hosiery Manufacturing Co Ltd.
Export Promotion	Mr.	Reid	Matheson & Co Ltd.
Export Promotion	Mr.	Wood	The British Petroleum Company plc
Export Promotion	Mr.	Gorin	Ferryfast Produce Ltd.
Export Promotion	Mr.	Holstein	E A Technology Ltd.
Export Promotion	Mr.	Malpass	Knight Piesold Ltd.
Export Promotion	Mr.	Hooper	East European Trade Council
Export Promotion	Mr.	Robinski	Polish Social and Cultural Association Ltd.
Export Promotion	Mrs.	Brett	Abercairn of Scotland
Export Promotion	Mr.	Speirs	Barclays Bank plc
Export Promotion	Mr.	Smith	Aspen Waite Chartered Accountants
Export Promotion	Mr.	Moore	East European Trade Council
Export Promotion	Mr.	MacKeown	World Trade Development Ltd
Export Promotion	Mr.	Hutchinson	Gardenex
Export Promotion	Ms	Laker	Independent Power Corporation plc
Export Promotion	Mr.	Woods	Rover Group
Infrastructure And Energy Projects	Mr.	McFadzean	Enterprise Ayrshire
Infrastructure And Energy Projects	Mr.	Smith	British Aerospace Aviation
Innovation Unit	Mr.	Aitken	ICL
Innovation Unit	Mr.	Bahu	Oxis Partnership/Humana
Innovation Unit	Mr.	Beacham	John Beacham Ltd.
Innovation Unit	Mr.	Brown	Nuclear Electric
Innovation Unit	Mr.	Cameron	Cameron and Cameron Best Practice
Innovation Unit	Mr.	Capewell	Northern Quest Ltd.
Innovation Unit	Mr.	Crouch	NCL Ltd.
Innovation Unit	Mr.	Dawson	D A Dawson & Associates
Innovation Unit	Mr.	Duggan	Duggan Creative
Innovation Unit	Mr.	Duncan	Shawnee Associates Ltd.
Innovation Unit	Mr.	Green	Queue Management Systems Ltd.
Innovation Unit	Mr.	Hoad	Nat West Bank plc
Innovation Unit	Mr.	Lever	Zeneca
Innovation Unit	Mr.	Maude	Reginald Maude Ltd.
Innovation Unit	Mr.	Mocroft	QuestBest Ltd.
Innovation Unit	Mr.	Mucci	University of Southampton
Innovation Unit	Mr.	Orme	Countrywide Porter Novelli
Innovation Unit	Mr.	Pratt	Sunalex
Innovation Unit	Mr.	Price	Bede
Innovation Unit	Mr.	Print	Balfour Beatty
Innovation Unit	Mr.	Revitt	Anglian Water
Innovation Unit	Mr.	Telling	Artel Rubber Company
Innovation Unit	Mr.	Tubbs	Innovamantex
Innovation Unit	Mr.	Ward	Digby Associates
Innovation Unit	Ms	Wedgwood	University of Sheffield
Invest In Britain Bureau	Ms	Blundell	BT International Business
Invest In Britain Bureau	Miss	Bartlett	Arthur Andersen
Invest In Britain Bureau	Mr.	O'Sullivan	British Telecom plc
Invest In Britain Bureau	Ms.	Matsuoka	British Consulate—General Osaka
Low Pay Commission Secretariat	Mr.	White	University of Greenwich Business Faculty
Nuclear Industries	Mrs.	Macdonald	AWE Plc
Nuclear Industries	Mr.	Foyle	British Nuclear Fuels plc
Office Of Science and Technology	Dr.	Cooksley	Glaxo Wellcome Research & Development
Office Of Science and Technology	Mr.	Rogers	AEA Technology plc
Office Of Science and Technology	Miss	Murphy	ICI Group
Office Of Science and Technology	Dr.	Taylor	Hewlett-Packard Ltd.
Oil and Gas	Mr.	Morgan	FINA plc
Regional Assistance	Mrs.	Culshaw	Pricewaterhouse Coopers

DTI directorate	*Title*	*Name*	*Seconding company*
Regional Assistance	Mr.	Sharman	Deloitte & Touche
Regional Assistance	Mr.	Robins	Hambros Bank Ltd.
SITPRO	Mr.	Doran	CERN
Small and Medium Enterprise Policy	Mr.	Dunn	Grant Thornton
The Insolvency Service	Mr.	Wright	Kidsons Impey
The Insolvency Service	Miss	Quinney	Ernst & Young Services Ltd.
Utilities Review Team	Mr.	Briggs	Herbert Smith

Sellafield

Ms Jenny Jones: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 15 December 1998, *Official Report*, column *453*, on Sellafield, if the relevant emergency planning officers were informed of the two shipments of mixed oxide fuel. [69765]

Mr. Battle: The relevant Home Office Chief Constables, rather than relevant Local Authority emergency planning officers, are given advance notification of such shipments. This is because it is for the police to initiate and take charge of the implementation of well rehearsed emergency plans in the unlikely event of any safety incident involving nuclear material.

Consequently, only key nuclear operations personnel, the police and appropriate security authorities need to be or are informed of such movements in advance.

Tacis Programme

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry what action he is taking in response to the recent representations from the Association of Consulting Engineers on the payment of invoices from United Kingdom companies under the EU Tacis Programme. [70092]

Mr. Wills: We share the concerns over the late payment of invoices from United Kingdom companies under the EU Tacis programme. I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Under-Secretary of State for International Development on 10 February 1999, *Official Report*, columns *280–81*.

Redundancy Payments

Mr. Baker: To ask the Secretary of State for Trade and Industry if he will make a statement on his Department's policy on minimum levels of redundancy payments. [68906]

Mr. Ian McCartney: Under the Employment Rights Act 1996, an employer is obliged to pay only the statutory minimum redundancy payment to employees. This is based on age, length of service and rate of pay and is subject to a maximum (currently £220 per week).

The amount of any redundancy payment over and above the statutory minimum is a matter between the employer and the employees, or their representatives. However, the Government hope that employees would adopt a consistent approach when determining redundancy payments regardless of where the employees are situated.

Environmental Standards

Mr. Dafis: To ask the Secretary of State for Trade and Industry if he will propose the establishment of common environmental standards among the G8 nations in respect of these countries' export credit agencies. [69525]

Mr. Wilson: At their meeting in May 1998, G8 Foreign Ministers concluded, inter alia, that

> "building on efforts in the OECD on taking environmental factors into account when providing official export credits, we encourage further work by the OECD to this end and ask for a report back next year".

The UK will continue to support the OECD initiative, including through the 1999 G8 process.

Export Credits Guarantees

Mr. Dafis: To ask the Secretary of State for Trade and Industry if he will list the export credits guarantees and insurance agreements reached with British firms in each year since 1995–96. [69578]

Mr. Wilson: The Export Credits Guarantee Department has issued 653 guarantees in support of exports of capital goods and services since 1995–96 as follows:-

Date	*Number*
1995–96	171
1996–97	162
1997–98	199
1998–99[1]	121

[1] to 31 December

Details of many of these guarantees can be found in ECGD's Annual Report and Trading Accounts for each of the years in question, copies of which have been placed in the Library of the House.

ECGD does not report individual guarantees without consent of the firms concerned and, in view of the number of guarantees involved, disproportionate cost would be involved in obtaining this.

Sustainable Development

Mr. Dafis: To ask the Secretary of State for Trade and Industry what environmental and sustainable development safeguards are employed in granting export credit guarantees and insurance to British exporters; if he will place the relevant documents in the Library; and if he will make a statement. [69523]

Mr. Wilson: Consistent with the Government's policy on the environment, the Export Credits Guarantee Department (ECGD) is supporting multilateral moves in the OECD to establish common principles, to be adopted by Export Credit Agencies, to take account of environmental factors in export credits.

ECGD takes account of environmental factors, particularly in its assessment of large project finance cases, and is undertaking further work, in consultation with environmental consultants and its customers, to determine the best means of further enhancing its policy and procedures, and of raising the awareness of UK exporters, investors and overseas buyers on its approach to environmental issues. Relevant documents will be placed in the Library of the House when this process is complete.

It would be premature for me to make a statement at this point in time.

Ilisu Dam

Mr. Dafis: To ask the Secretary of State for Trade and Industry what environmental and social impact studies have been required by the Export Credit Guarantee Department in respect of the granting of export credit insurance to Balfour Beatty arising from that company's involvement in the Ilisu Dam project in Turkey. [69524]

Mr. Wilson: ECGD is working with a number of other Export Credit agencies (ECAs) on this project.

The Swiss ECA (ERG) supporting the Swiss led contracting consortium for the Ilisu Hydro Electric project, commissioned an expert review of the full Environmental Impact Assessment study produced by Hydro Concepts Engineering, Switzerland in March 1998. This review was made available to the other participating ECAs, including ECGD, in July 1998. ECAs have held a number of discussions on the environmental aspects, including the social impact, of the project as well as the monitoring arrangements during construction.

European Structural Funds

Mr. Stevenson: To ask the Secretary of State for Trade and Industry what action the Government are proposing to help those bodies which are having to wait for payment of European Union structural funds grants due to delays in receiving some of the funds from Europe. [71251]

Mr. Wills: The reform that I can announce is good news, particularly for charities, small businesses, local authorities and other bodies implementing projects vital to local communities. They have previously had to wait months or even longer to receive the final instalment of funding, even though their projects have been completed.

From now on the Government will pay all Structural Funds claims that have been properly prepared once they have undergone appropriate checks and processing, even where the Funds have not yet been received from the European Commission.

The Government have been well aware of the difficulties these delays are causing and their impact on local partners implementing Structural Funds projects. That is why we are taking action to protect them.

Science Enterprise Challenge

Dr. Starkey: To ask the Secretary of State for Trade and Industry what progress has been made on the launch of the Science Enterprise Challenge. [71252]

Mr. Byers: I am launching the Science Enterprise Challenge today. This meets one of our key commitments in the recent White Paper to further strengthen exploitation of the science base. This £25 million Challenge is open to UK universities, to compete for funds to endow up to eight new Science Enterprise Centres. Centres will bring the teaching of entrepreneurship and business skills into the science curriculum and be centres of excellence for the knowledge transfer process.

The Challenge is in two stages; applicants are invited to submit an outline business plan for Stage 1 by 14 April. Those who succeed in Stage 1 will be invited to submit a more detailed business plan in Stage 2. I hope to announce winners in the summer. The lead applicant must be a university. However collaborative bids can include, for example, other higher educational institutions. Copies of the Guidelines for Stage 1 have been placed in the Libraries of both Houses.

British Nuclear Fuels

Mr. Ian Stewart: To ask the Secretary of State for Trade and Industry if he will make a statement about the external financing limit of British Nuclear Fuels Ltd. for 1998–99. [71253]

Mr. Byers: BNFL's External Financing Limit has been tightened by £115.5 million from £178.91 million to £63.41 million. This reflects adjustments in the profile of payments from the UKAEA to BNFL for decommissioning and waste management of UKAEA liabilities at BNFL sites, and correction of historical imbalances between the relative shares the parties pay to Nirex. Provision for UKAEA expenditure has been increased accordingly in the Spring Supplementary Estimate for Class V Vote 1. The adjustments do not require any increase in public expenditure.

Departmental Cash and Running Costs Limits

Mr. MacShane: To ask the Secretary of State for Trade and Industry what changes will be made to the cash and running costs limits for his Department, the Office of Telecommunications, and the Office of Gas Supply, and to the external financing limit of the British Coal Corporation. [71254]

Mr. Byers: Subject to Parliamentary approval of the necessary supplementary estimates:

(i) the cash limit for class V vote 1—Department of Trade and Industry: programmes and administration—will be increased by £136,634,000 from £1,286,873,000 to £1,423,507,000. This net increase results from:

- (a) an increase of £135,200,000 in the provision for Nuclear Liabilities;
- (b) a transfer of £1,851,000 from the Department of Trade and Industry's Science Vote (Class V Vote 2) in respect of the Teaching Company Scheme;
- (c) a transfer of £34,000 in running costs from the Cabinet Office (Class XVIII Vote 1).

(d) a transfer of £8,000 from the Department of the Procurator General and Treasury Solicitor (Class VIII Vote 6).offset by:

(e) a transfer of £334,000 to the Department of Social Security (Class XII Vote 3) to cover the costs of a new service in respect of the setting up of a helpline for the National Minimum Wage;

(f) a transfer of £115,000 to the Department of the Environment, Transport and the Regions (Class VI Vote 5) to cover the capital requirements of the Government Offices;

(g) a transfer of £10,000 to the Home Office (Class VII Vote 1) in respect of the enforcement costs of the Telecommunications Data Protection Directive.

In addition, the Department will be increasing its gross expenditure provision for Sections A, B, C, D, G and L by £35,216,000, which will be offset by a corresponding increase in appropriations in aid, following the ruling that VAT receipts for contracted out services should not be carried on a net sub-head.

Within this total, the gross running costs limit for the Department of Trade and Industry will be increased by £34,000 from £360,241,000 to £360,275,000.

The increase of £135,200,000 in the provision for Nuclear Liabilities will be offset by reductions of £52,200,000 in the provision for Coal Liabilities in Section B of the Vote and £83,000,000 in the External Financing Limit of BNFL. It will not therefore add to the planned total of public expenditure;

(ii) the cash limit for Class V Vote 2—Department of Trade and Industry: science—will be reduced by £1,038,000 from £1,368,497,000 to £1,367,459,000. This net reductions results from:

(a) a transfer of £1,851,000 to the Department of Trade and Industry's Programmes and Administration Vote (Class V Vote 1) in respect of the Teaching Company Scheme;offset by:

(b) a transfer of £813,000 from the Ministry of Agriculture, Fisheries and Food (Class IV Vote 2) to the Biotechnology and Biological Sciences Research Council (BBSRC) in respect of redundancy costs at BBSRC Institutes;

In addition, the Department will be increasing its gross expenditure provision for Section K by £20,000, which will be offset by a corresponding increase in appropriations in aid, following the ruling that VAT receipts for contracted out services should not be carried on a net sub-head.

(iii) the cash limit for Class V Vote 8—Office of Telecommunications—will be increased by £1,000 from £2,000 to £3,000 in order to implement the ruling that VAT receipts for contracted out services should not be carried on a net sub-head. In addition, the running costs limit will be increased by £17,000 from £10,949,000 to £10,966,000 which will be offset by a reduction of £17,000 in the capital expenditure provision. The token £1,000 increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure;

(iv) the cash limit for Class V Vote 9—the Office of Gas Supply—will be increased by £1,000 from £1,000 to £2,000 and the running costs limit will be increased by £1,582,000 from £11,124,000 to £12,706,000. This is in order to meet the costs of handling an increase in calls to the Consumer Helpline service; to undertake a review of internal organisation; to meet increased legal costs; and to implement the ruling that VAT receipts for contracted out services should not be carried on a net sub-head. There will be an offsetting increase of £2,349,000 in appropriations in aid to cover the costs of funding these additional items. The token £1,000 increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure;

In addition to these changes, the External Financing Limit of the British Coal Corporation has been reduced from £19,000,000 to £12,300,000 to reflect the transfer of responsibility for most of its property liabilities to the Coal Authority.

Parliamentary Questions

Mr. Boswell: To ask the Secretary of State for Trade and Industry how many Parliamentary Questions have been tabled to his Department for answer on a named day in *(a)* the current and *(b)* the last session of Parliament; and what proportion received a substantive answer on that day in each case. [70629]

Mr. Byers: In the current session, 317 named day questions have been answered, 23 per cent. of which have received a substantive answer on the due date. This compares with a total of 1,973 named day questions in the 97–98 session, 32 per cent. being given a substantive answer on the due date.

AGRICULTURE, FISHERIES AND FOOD

Animal Exports

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food what representations he has made to *(a)* the French Government and *(b)* the European Commission in order to prevent UK sheep being slaughtered in France at this year's Aid-el-Kabir festival in breach of Council Directive 93/119 on the protection of animals at the time of slaughter or killing; and if he will make a statement. [67941]

Mr. Morley: My right hon. Friend the then Minister wrote to the French Minister and to the Agriculture Commissioner in March 1998 to express concern about poor slaughter practices during the festival and to support the measures being taken to improve matters. I am sure that the French authorities remain well aware of our concern on this subject and that they will continue to take steps to contain and reduce the problem. We will keep checking the matter with them in our ongoing contacts.

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to contact *(a)* the National Farmers Union and *(b)* the National Sheep Association to urge them to try to persuade their members not to export live sheep to France for outdoor religious slaughter during the Aid-el-Kabir festival in March; and if he will make a statement; [67939]

(2) what steps he plans to take to discourage UK farmers and exporters from sending live sheep to France for outdoor religious slaughter during the Aid-el-Kabir festival in March; and if he will make a statement; [67938]

(3) what plans he has to contact Farmers Ferry Ltd. to urge them not to carry live sheep which are destined for outdoor religious slaughter in France during this year's Aid-el-Kabir festival in March; and if he will make a statement. [67940]

Mr. Morley: The Government look to all those who produce, market, transport or export sheep to avoid trading them on in a way which will lead to their being slaughtered inhumanely or in breach of the law in other ways. We attach importance to this and will take suitable opportunities, between now and the festival, to emphasise to those concerned that this is our very firm view.

Food Standards Agency

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what criteria he will adopt relating to the professional qualifications and experience of prospective candidates for the chairmanship of the Food Standards Agency. [69824]

Mr. Rooker: Responsibility for appointing the chairman of the Food Standards Agency will rest with the Secretary of State for Health, and his equivalents in Wales, Scotland and Northern Ireland. The appointment will be made in accordance with guidance issued by the Commissioner for Public Appointments. The Government will be looking to appoint a person of high standing with relevant experience and qualifications who will command the confidence of the public.

Genetically Modified Organisms

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food what evidence he has obtained which raises concerns about adverse human or environmental health implications from the introduction of genetically modified organisms into the food chain. [70047]

Mr. Rooker: Genetically modified organisms (GMOs) are only approve[illegible]r food use after a rigorous safety assessment. Consequently I am not aware of any such evidence for GMOs that have been approved for use in the food chain.

Bovine Tuberculosis

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the link between bovine TB and birds; and what plans he has to commission research on this. [69706]

Mr. Rooker: Birds do not give bovine TB and there is no significant evidence of them being a carrier of this infection. However, birds infected with avian TB can pass infection to cattle. This rarely produces clinical disease in cattle but can cause cross reactions to the tuberculin skin test. To overcome this we conduct a comparative skin test so that if cattle react to the avian tuberculin test as well as the bovine tuberculin test the interpretation of the results can be adjusted. This reduces the number of false positive cattle which are slaughtered unnecessarily.

Sir Peter Emery: To ask the Minister of Agriculture, Fisheries and Food what data his Department has collated on change in the incidence of tuberculosis in cattle over the last two years; if he will list the areas severely affected; and what action he is taking to overcome the problem. [70350]

Mr. Rooker *[holding answer 10 February 1999]:* The figures for new confirmed incidents of TB in cattle herds in Great Britain indicate a 9 per cent. increase between 1996 and 1997. Figures for 1998 are not yet available, but provisional estimates indicate an increase in the region of at least 46 per cent. over 1997. The areas most severely affected by TB are in the South West of England and parts of the West Midlands and South Wales, the counties of Cornwall, Devon, Gloucestershire and Herefordshire having the highest number of new confirmed incidents in both 1997 and 1998.

We need to know why TB is increasing. Last August I announced a new strategy. MAFF and DH are taking action to ensure public health is not put in jeopardy. We test cattle regularly for TB, and slaughter those at risk. We are spending over £10 million on work to underpin a science based policy which can be sustained in the long-term, and control TB in the interests of cattle, badgers and people. There are three elements:

work to develop a vaccine: although this will take 10–15 years and success is not guaranteed, many see it as the best long-term prospect;

research to improve our understanding of the disease and how it spreads;

a trial designed to show the most effective means of culling.

It will be some time before we have results from the whole programme. But as results become available we can design policies around them.

Meanwhile we have increased compensation for slaughtered animals from 75 per cent. to 100 per cent. of market value. We have a working group reviewing the frequency and effectiveness of testing, and have asked it to report by Easter. There is a lot more farmers can do themselves to reduce their TB risk and we are working with interested organisations to agreed new guidance on practical measures which can be taken.

We shall continue to review other suggestions which might help in dealing with this exceptionally difficult problem.

Women (Agriculture)

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food what funding is available from the European Union for schemes to help women into agriculture. [70258]

Mr. Rooker: I am not aware of any EU Schemes which provide funding specifically to help women into agriculture. However, EU funding for measures designed to promote employment in special occupational areas is available under Objective 3.

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food what plans he has for the United Kingdom to take part in the European Union scheme to help women enter into agriculture. [70259]

Mr. Rooker: I have no plans to take part in any schemes designed to help women enter agriculture.

Public Consultations

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food if he will publish his Department's collation and assessment of responses to all the Government's public consultations. [69768]

Mr. Morley: It is my Department's practice to make responses to consultations available on request. For some consultations summaries of the responses are produced, and may also be put in the Library of the House or on the MAFF website. Key issues of concern raised during consultations are included in the Regulatory Impact Assessments which accompany any new legislation which either imposes a cost on, or reduces costs to, business. The next Departmental Report will contain a summary of the better regulation aspects arising from consultations during 1998.

Pigs

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with European Union farm ministers about *(a)* the treatment of pigs during farming and *(b)* the production methods of pig farming; and if he will make a statement. [69506]

Mr. Morley *[holding answer 8 February 1999]:* No negotiations have taken place on these matters in the Council of Ministers, because the European Commission has not yet brought forward its overdue proposals to update EU welfare standards for pigs. We will continue to press for proposals, which must at least meet the standards currently applying to the UK, to come forward as soon as possible.

Poultry Imports

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what tests are carried out by port health authorities on poultry imports from countries outside the E.U. [69486]

Mr. Rooker *[holding answer 8 February 1999]:* Live poultry may be imported into the EU only from approved third countries from flocks which are subject to regular disease monitoring. Member States are notified about all such imports and documentary, identity and physical checks are carried out at the point of entry. Similarly, poultry meat may only be imported from third countries, and from establishments in those third countries, which are approved by the European Commission. On arrival at a Border Inspection Post in the Community the documents and identity of every consignment of poultry meat must be checked. At least 50 per cent. of consignments must also be subject to physical checks to ensure that they are fit for their intended purpose.

BSE

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the evidence to date of maternal transmission of BSE. [70177]

Mr. Rooker *[holding answer 9 February 1999]:* SEAC's conclusions on maternal transmission were given in its statement of 16 April 1997. This information was published in MAFF News Release 108/97 on 18 April 1997, which can be accessed on the MAFF website at—http://www.maff.gov.uk/maffhome.htm. The News Release is also available to all Members in the Library of the House.

There is no new evidence which calls these conclusions into question.

Derelict Land (Tree Planting)

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food how many hectares of urban land he intends to be covered by his Department's scheme for woodland and tree planting on derelict land. [70229]

Mr. Morley *[holding answer 9 February 1999]:* The Government's Forestry Strategy for England, published last December, identifies the opportunity to increase significantly the level of planting of woodland on derelict land, and puts forward a series of actions to achieve this. However, we have not set specific targets.

Civil Service Pay Awards

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69522]

Mr. Morley *[holding answer 9 February 1999]:* Since 1996 MAFF has had delegated authority for negotiating pay settlements. For the last pay round the core MAFF settlement included Pesticides Safety Division and the Veterinary Medicines Directorate.

The headline pay settlement was 2.7 per cent. on the paybill. Together with the additional funds from staff turnover this settlement allowed performance related increases with an overall cost of 4.2 per cent. and one-off structural changes worth 0.5 per cent. of the paybill.

Pay awards were not staged.

The Minister of Agriculture, Fisheries and food is also responsible for other Executive Agencies with their own negotiating remits. I have asked their Chief Executives to respond direct with information on their pay settlements.

Letter from Peter Stanley to Dr. David Clark, dated 11 February 1999:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory (CSL), to your question concerning the average percentage increase in salaries of non-industrial civil servants and to what extent the pay awards were staged.

Since 1996 CSL has had delegated authority for negotiating pay settlements.

CSL operates a performance related pay system which links pay awards to job performance. It is therefore not possible to provide a single average figure which is meaningful. For 1998/99, pay increases for satisfactory performers ranged from 3.5% to 5.4% with a few exceptional performers receiving an additional accelerated pay progression of 6%. For some unsatisfactory performers, no pay increase was received.

Pay awards were not staged, being paid in full with effect from 1 August 1998.

Letter from P. W. Greig-Smith to Mr. David Clark, dated 11 February 1999:

The Minister has asked me to reply to your question on the average percentage increase in salaries of non-industrial Civil Servants, excluding members of the Senior Civil Service, in his Department for 1998–99 and to what extent the pay awards were staged. I am replying on behalf of the Centre for Environment, Fisheries and Aquaculture Science (CEFAS).

CEFAS operates a performance-related pay system which links pay awards to job performance. It is therefore not possible to provide a single average figure that is meaningful. For 1998/99 the performance pay increases of satisfactory performers ranged from 2.39% to 7.21% with an underpinning minimum increase of 3.00% or £400, whichever was greater. Unsatisfactory performers received no increase.

The average 1998/99 pay increase for non-industrials at CEFAS was 4.08%. Payments were not staged, being paid in full with December salaries.

Letter from Sarah Nason to Dr. David Clark, dated 8 February 1999:

Mr. Elliot Morley has asked me to reply, in respect of the Farming and Rural Conservation Agency (FRCA), to your question about the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service in 1998/99, and to what extent the pay awards were staged.

FRCA has had delegated authority for negotiating pay settlements since the Agency's launch in April 1997. Payment date within the Agency is 1 August each year. The headline pay settlement for 1998/99 was 2.0% on the paybill and together with the additional funds from staff turnover, staff in post received performance related increases averaging 4.0%. The increases were not staged.

Letter from T. W. A. Little to Dr. David Clark, dated 11 February 1999:

The Minister has asked me to reply to your question on the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99 and to what extent the pay awards were staged.

Since 1996 the VLA has had delegated authority for negotiating pay settlements.

The Agency operates a performance related pay system which links pay awards to job performance.

For 1998/99 the pay increases for satisfactory performers ranged from 3.5% to 5.5% with a guaranteed cash increase of £400 per annum. Unsatisfactory performers received no pay increase.

The average value of the pay increases, including some other improvements to terms and conditions for VLA staff, was 4%.

The pay increases were not staged, being paid in full with August 1998 salaries.

Letter from Johnston McNeill to Dr. David Clark, dated 11 February 1999:

As Chief Executive of the Meat Hygiene Service (MHS) your question to the Minister of Agriculture, Fisheries and Food enquiring what the average percentage increase in salaries of non-industrial Civil Servants, excluding members of the Senior Civil Service for 1998/99, and to what extent the pay awards were staged, has been passe to me to reply as regards this Executive Agency.

The MHS is continuing to discuss its 1998/99 pay deal with UNISON, the trade union which represents meat inspection staff. If the proposed pay deal tabled by the MHS were to be agreed, awards in the MHS would range from 3.65% to 8.4%. The average award would slightly above 3.65%.

The pay award would not be staged.

Calf Processing Aid Scheme

Mr. David Taylor: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had on the future of the calf processing aid scheme; and if he will make a statement. [71389]

Mr. Nick Brown: Farmers' organisations have pressed for continuation of the Scheme in view of the uncertain situation facing the beef market. When I announced on 16 November 1998, *Official Report*, columns 624–40, a package of aid for the livestock sector, I extended the life of the scheme until 31 March 1999. I undertook then to keep the scheme under review. I have now concluded with my colleagues that, in view of market circumstances, we should further extend the scheme to 31 July 1999.

In view of the need to give certainty about the final end-date of the scheme there will be no further extension. It will end on 31 July.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what is the monthly cost of the revised calf processing aid scheme and the proportion paid by *(a)* the Treasury and *(b)* the EU. [70634]

Mr. Rooker: At the current exchange rate, and assuming throughput at average 1998 levels, the monthly cost of the Calf Processing Aid Scheme is a little over £3 million. The Scheme is in principle 100 per cent. financed by the EU, but due to the operation of the Fontainebleau rebate mechanism the Exchequer effectively pays about 71 per cent. of the costs.

Over-30-months Scheme

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what was the cost over the last year of the over thirty months scheme; and what proportions are funded by *(a)* the Treasury and *(b)* the EU. [70635]

Mr. Rooker: The cost of the Over Thirty Months Scheme in 1998–99 is estimated to be around £364 million, made up of payments to producers (£247 million) and slaughter and disposal costs (£117 million). Payments to producers are in principle reimbursed by the EU at a rate of around 70 per cent., although the effective rate of reimbursement is close to 20 per cent. after the operation of the Fontainebleau rebate mechanism. The costs of slaughter and disposal are fully funded by the Exchequer.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food (1) what estimate he has made of the annual cost of increasing the maximum weight limit under the over thirty months scheme by *(a)* 100 kg and *(b)* 200 kg; [70638]

(2) what would be the annual cost of removing the weight limit under the over thirty months scheme. [70636]

Mr. Rooker: First, changes to this scheme are not within the gift of the UK Government; its rules are set by the European Commission.

It is difficult to estimate precisely the likely extra costs of the three options that the hon. Member mentions, as each of the options may cause both slaughter weights and throughput to change. Nevertheless I estimate that increasing the weight limit by 100 kg would increase costs by around £15.5m; increasing the limit by 200 kg would do so by around £16.75m; and removing the limit altogether would increase costs by around £17m.

Beef Export Ban

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if the European Commission's criteria for the lifting of the export ban on British beef require dedicated abattoirs or dedicated slaughter and cutting lines within larger abattoirs. [70632]

Mr. Rooker: The Date Based Export Scheme requires that eligible animals are slaughtered, and their meat and products handled subsequent to slaughter, in plants which handle only export eligible cattle and beef, or other species and their meat. Abattoirs will be able to slaughter pigs or sheep but will not be able to slaughter cattle which are not eligible for export.

Departmental Cash and Running Costs Limits

Dr. Starkey: To ask the Minister of Agriculture, Fisheries and Food what changes are proposed to his Department's cash and running costs limits for Class IV Vote 2, Ministry of Agriculture, Fisheries and Food, for 1998–99.

Mr. Nick Brown: Subject to the Ministry's Spring Supplementary Estimate being agreed be Parliament, the Cash limit for Class IV Vote 2 for 1998–99 will be increased by £35,523,000 from £711,300,000 to

£746,823,000 and the Gross Running Cost Control limit will be increased by £6,637,000 from £355,230,000 to £361,867,000.

The changes are accounted for by transfers of £813,000 to the Department of Trade and Industry (Class V, Vote 2) for payments to the Biotechnology and Biological Science Research Council and £440,000 to the Scottish Office (Class XIII, Vote 6) and £200,000 to the Welsh Office (Class XIV, Vote 3) for the costs of the Cattle Traceability System; transfers of £2,163,000 from the Department of Health (Class XI, Vote 2), £721,000 from the Scottish Office (Class XIII, Vote 1), £349,000 from the Welsh Office (Class XIV, Vote 3), and 360,000 from the Northern Ireland Office, as their contributions towards the cost of the BSE Inquiry and, £4,000 from the Treasury Solicitors (Class VIII, Vote 6); calls on the reserve of £15,268,000 to cover the Ministry's share of increases to Hill Livestock Compensatory Allowances, £19,720,000, with a corresponding increase in EC receipts, to cover the Ministry's share of increases to the Suckler Cow Premium Scheme, £6,451,000 to cover the cost of the Offspring Cull and Date-Based Export System and £11,660,000 for the take-up of End-Year Flexibility.

Written Answers to Questions

Monday 15 February 1999

CHURCH COMMISSIONERS

Staff Travel

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70961]

Mr. Stuart Bell: The Commissioners follow Civil Service guidelines for mileage rates. A pedal cycle allowance of 6.6 pence per mile is also payable.

HOUSE OF COMMONS

Commons Kitchens (Closure)

Mrs. Dunwoody: To ask the Chairman of the Catering Committee what facilities will be available for hon. Members and their staff during the period of closure of the Commons kitchens; and for how long the kitchens will be closed. [70382]

Mr. Dennis Turner: The final phase (Phase F) of the House of Commons Refreshment Department Modernisation Programme, which was approved by the House in July 1994, will necessitate closure of the Department's main kitchens, (which service the Members' and the Strangers' Dining Rooms, the private dining rooms and the banqueting facilities), from the end of July 1999 until the end of February 2000.

During this period, normal services will be maintained throughout the Refreshment Department's cafeterias and in the Members' Tea Room. The Members' Dining Room will continue to offer a Strangers' lunch service and a Members' evening service, although the menu will have to be considerably reduced to enable catering staff to transfer food from temporary kitchens which will be sited in Peers' Court. The Churchill Room will also remain available to Members and their guests for both lunch and dinner. It is hoped that the Pugin Room will continue to operate a normal service, although a final decision on this has yet to be made. All other bar services, including the Smoking Room will operate as normal.

I do have to advice my hon. Friend that, unfortunately, the following services will not be available from the end of July until the new kitchens are operational in March 2000: the Strangers' Dining Rooms A, B, C and D. The Chess Room will also be closed. The Terrace Pavilion will not be available for any functions requiring food service, but its possible use for "drinks only" receptions remains under consideration.

Once the exact range of facilities that will be available has been finalised, I will write to all hon. Members to advise them of the services that it will be possible to provide.

ATTORNEY-GENERAL

Departmental Staff

Mr. Chaytor: To ask the Attorney-General if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70475]

The Attorney-General: For the details regarding my Departments (The Crown Prosecution Service, Treasury Solicitor's Department, including the Government Property Lawyers Agency, the Serious Fraud Office and the Legal Secretariat to the Law Officers) my hon. Friend is referred to the "Civil Service Statistics 1998", a copy of which is placed in the Library.

Mr. Chaytor: To ask the Attorney-General what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70461]

The Attorney-General: The Crown Prosecution Service acts as the prosecuting authority for England and Wales. At present, its staff are based at CPS Headquarters, with premises in London and York, and at 13 Area Headquarters with 90 Branches throughout England and Wales. From 1 April 1999, following the recommendations in the Glidewell Report, the CPS is to be restructured into 42 Areas, aligned with police force areas. The 90 branches will remain in their present locations, subject to review in due course. There are no plans at present to relocate the Headquarters offices in London and York. Location of individual CPS offices is determined by reference to operational needs, including proximity to the courts and police served by that office.

The Treasury Solicitor's Department has no current plans to relocate or decentralise staff.

The Serious Fraud Office has no current plans to decentralise or relocate. It is considered that its strategic objectives are best served by working close by the other major organisations in the Criminal Justice System and the major financial institutions in the City of London.

The small Legal Secretariat to the Law Officers operates as my private office and as such is required to be based in London.

INTERNATIONAL DEVELOPMENT

Defence and Overseas Policy Committee

Dr. Tonge: To ask the Secretary of State for International Development how many meetings of the Ministerial Committee on Defence and Overseas Policy she has attended since May 1997. [71053]

Clare Short: I have attended four meetings of the Committee since May 1997.

Dr. Tonge: To ask the Secretary of State for International Development if the Ministerial Committee on Defence and Overseas Policy discussed the issue of arms export licensing during those meetings that she attended. [71070]

Clare Short: The agenda for meetings of the Ministerial Committee on Defence and Overseas Policy cannot be revealed since this information falls within the exemption for internal discussion and advice under the Code of Practice on Access to Government Information.

Dr. Tonge: To ask the Secretary of State for International Development if she will list the subjects discussed at the meetings of the Ministerial Committee on Defence and Overseas Policy which she attended. [71072]

Clare Short: The agenda for meetings of the Ministerial Committee on Defence and Overseas Policy falls within the exemption for internal discussion and advice under the Code of Practice on Access to Government Information and therefore cannot be revealed.

Security Sector Reform

Dr. Tonge: To ask the Secretary of State for International Development when proposals for her Department's involvement in security sector reform will be published. [71046]

Clare Short: My Department's policy approach to security sector reform is to be published on 9 March 1999, in conjunction with a speech I shall be giving on the subject at King's College, London. A copy of our policy paper will be placed in the Library.

Biosafety Protocol

Joan Ruddock: To ask the Secretary of State for International Development what impact her Department has had in determining the Government's objectives in the forthcoming negotiations on the Biosafety Protocol in Colombia. [70937]

Clare Short: We are participating with the Department of the Environment, Transport and the Regions in the current negotiations on the Biosafety Protocol. The Government's overall objective in the negotiations is to protect the environment and human health worldwide.

We are working to ensure that the Protocol includes appropriate capacity building and financial assistance through the Global Environment Facility so that developing countries can protect their interests.

Joan Ruddock: To ask the Secretary of State for International Development what discussions she has had with developing countries regarding their interests in the forthcoming negotiations on the Biosafety Protocol in Colombia. [70938]

Clare Short: I have had no discussions with developing countries regarding their interests in the current negotiations on the Biosafety Protocol in Colombia.

Genetic Patenting

Joan Ruddock: To ask the Secretary of State for International Development what estimate she has made of the revenues which would flow from developing to developed countries as a result of genetic patenting. [70932]

Clare Short: Given the large number of uncertainties in any such exercise, I can make no estimate of the revenues which would flow from developing to developed countries as a result of genetic patenting.

Genetically Modified Crops

Joan Ruddock: To ask the Secretary of State for International Development if she will estimate the number of genetically modified crops available worldwide which could be substituted immediately for those crops currently grown by farmers in developing countries. [71171]

Clare Short: Subject to the approval of developing country Governments, genetically modified soybean, cotton, oilseed rape, maize, potato, tomato and tobacco could immediately replace existing crops. We have commissioned research on the potential impact on farmers in developing countries of the increased use of genetically modified crops. We will publish the results as they become available.

Joan Ruddock: To ask the Secretary of State for International Development if she will list the genetically modified crops available worldwide which can be grown in developing countries. [70934]

Clare Short: Genetically modified crops which have been approved for commercial production in one or more countries and which could be grown in developing countries include soybean, cotton, oilseed rape, maize, potato, tomato and tobacco. However, my Department has commissioned research on the potential impact on farmers in developing countries of the increased use of genetically modified crops. We will publish the results as they become available.

Joan Ruddock: To ask the Secretary of State for International Development what estimate she has made of the proportion of genetically modified crops available worldwide which can be grown in developing countries. [70933]

Clare Short: All those genetically modified crops approved for commercial production in one or more countries could be grown in developing countries. We have commissioned research on the potential impact on farmers in developing countries of the increased use of genetically modified crops. We will publish the results as they become available.

Joan Ruddock: To ask the Secretary of State for International Development what research her Department has undertaken into the possible social, economic and environmental consequences of the introduction of genetically modified crops into developing countries. [70935]

Clare Short: My Department is providing funding to the International Crop Research Institute for the Semi-Arid Tropics (ICRISAT) to support research into the potential risks of introducing transgenic plants into traditional cropping systems. The project will examine environmental and social risk in the case of pigeon peas grown by smallholder farmers in India. The outcome of this research will be made public.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for International Development, pursuant to her answer of 14 December 1998, *Official Report*, column *343*, if she will list the expenditure not included in her answer incurred by *(a)* her agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for her Department. [71005]

Clare Short: The answers are as follows:

(a) Since May 1997 the Commonwealth Scholarship Commission has spent around £1,000 advertising overseas awards tenable for British students. In 1997 and 1998, the Commonwealth Development Corporation spent around £340,000 on corporate advertising and staff recruitment.

(b) None.

Mr. Don Foster: To ask the Secretary of State for International Development if she will list the expenditure incurred by her Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if she will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70969]

Clare Short: DFID has a website which was set up at a cost of £10,000; maintenance of the site costs £10,000 per annum and development costs in the first year of operation—1998/99—are £3,500. The site covers:

"Who we are", including basic data on the departmental structure, aims and personalities, links with other development related websites.

"Working with us", including recruitment, projects in the pipeline, development awareness information, research programmes and details of funding schemes.

"A closer look", including strategy papers, publications, project evaluation reports.

"News Centre", including briefings; press releases, speeches, statements, public opinion research, and new items on the website.

The average number of page hits each month is 124,000.

Maintenance and development costs over the next 3 years are not planned to increase substantially over current levels. Costs so far have been within budget provision.

The only other relevant body with its own website is the Commonwealth Development Corporation (CDC).

The cost of setting up the CDC website was £11,500.

The topics covered are:

Expertise: a summary of CDC's functions and methods

Investment terms: summary of investment terms together with instructions on how to make an investment proposal.

CDC Worldwide: summary of worldwide operations and world map.

Press Releases: access to all the press releases issued in the last twelve months.

Links: links to various sites, including the DFID web page, international financial institutions and various other organisations.

Annual Report: the full contents of the 1997 Annual Report.

The CDC does not maintain an accurate register of hits. Due to planned overhaul, estimated expenditure for the next three years is:

1999: £30,000

2000: £10,000

2001: £10,000.

Mr. Don Foster: To ask the Secretary of State for International Development, pursuant to her answer of 14 December 1998, *Official Report*, column *343*, if she will list the expenditure not included in her answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if she will list the bodies which incurred the expenditure. [71006]

Clare Short: The Department for International Development has no formal *(a)* task forces and review bodies or *(b)* focus groups, and since May 1997 has incurred no expenditure on *(c)* market research beyond the research included in my answer of 14 December 1998, *Official Report*, column *343*.

Since May 1997, the Department for International Development has *(d)* spent around £1 million on publications and publicity.

Papua New Guinea

Mr. Swayne: To ask the Secretary of State for International Development if she will make a statement regarding *(a)* British and *(b)* EU aid to Papua New Guinea. [71484]

Clare Short: The UK has a small programme of development assistance focusing on education in the Pacific region. But the majority of UK development assistance to Papua New Guinea is provided through support for regional initiatives, such as the Pacific Community and the South Pacific Forum, and through the EU. Britain also contributed £140,000 in response to the July 1998 tidal wave disaster.

During the period 1990–1995 Papua New Guinea received over 220 mecu under the first phase of the EC's Lome IV Convention. This is equivalent to about £180 million, of which the UK share was some £30 million. Under the second phase (1995–2000) the UK will have committed about £5 million to a programme worth 50 mecu (about £40 million) aimed at human resource and rural environment development.

Staff Travel

Mr. Baker: To ask the Secretary of State for International Development if she will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70957]

Clare Short: For official travel by private car the rates are:

37p a mile at standard rate and

23.8p a mile at public transport rate (where suitable officially provided transport or public transport is readily available).

The use of private cars for official journeys by staff in my Department is minimal. A Departmental Green Transport Plan is currently being prepared which will detail what action will be taken by the Department to promote and support the Government's objective of reducing the impact of travel on the environment.

Zimbabwe

Mr. Maclean: To ask the Secretary of State for International Development if she will list the British advisers supported by the British Government currently working for *(a)* the Government of Zimbabwe and *(b)* state-owned companies in Zimbabwe. [70578]

Clare Short: The British Government currently fund the following British advisers in:

Department	*Advisers*
(a) the Zimbabwe Government	
Central Statistical Office	Economic Statistics Adviser
Forestry Commission	Project Co-ordinator
Ministry of Land and Agriculture	Epidemiologist, Research Adviser (x2)
Ministry of Defence	Civil Adviser, Military Advisers (x9)
Ministry of Justice, Legal and Parliamentary Affairs	Legal Training Adviser
Ministry of Industry and Commerce	Private sector development consultant
Ministry of Local Government and National Housing	Project Support Officer (x2)
	Development in Practice (consultancy team)
Ministry of Rural Resources and Water Development	Water Quality Adviser
	Hydrologist
	Hydrological Systems Analyst
Ministry of Public Service, Labour and Social Welfare	Adviser to Public Service Commission
Ministry of Transport and Energy	Transport Research Adviser
(b) State-owned companies	
None	

Ministerial Visits

Mr. Gray: To ask the Secretary of State for International Development if she will list the parliamentary constituencies which she has visited in an official capacity in the past 12 months. [71346]

Clare Short: The Parliamentary Under-Secretary of State and I have undertaken a number of visits to regions around the UK in the past 12 months as part of the Department for International Development's strategy of engaging the public in development. Records of official visits are not held on constituency basis as many will have taken in more than one constituency at a time. Since March 1998, the following cities or regions were visited:

Bath;
Belfast;
Birmingham;
Blackpool;
Bradford;
Carlisle;
Cardiff;
Chester;
Durham;
Edinburgh;
Leeds;
Manchester;
Milton Keynes;
Northampton;
Oxford;
Western Isles;
York.

PRESIDENT OF THE COUNCIL

Staff Travel

Mr. Baker: To ask the President of the Council if she will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70959]

Mrs. Beckett: No staff of the Privy Council Office currently claim car mileage allowances. Any such claims would be payable at a flat rate of 40 pence per mile for the first 4,000 miles in any year and 22.5 pence per mile thereafter. The policy of the department is not to provide higher differential rates for larger capacity engines.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Trunk Roads

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the trunk roads in England and Wales which have junctions less than two km apart where there is a 70 mph speed limit. [66846]

Ms Glenda Jackson *[holding answer 21 January 1999]:* I will write to the hon. Member and place a copy of my letter in the Library.

Local Government Finance (Westminster and Kensington)

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* grants and *(b)* other financial support given by his Department to (i) Westminster City Council and (ii) the Royal Borough of Kensington and Chelsea, other than through the RSG settlement, in (1) 1997–98, (2) 1998–99 and (3) planned for 1999–2000; and for what purposes the funds were allocated. [70155]

Ms Armstrong: The information requested is given in the following table.

Grants and other financial support to Westminster City Council and the Royal Borough of Kensington and Chelsea

£000

	1997–98		1998–99		1999–2000	
	Westminster	*Kensington and Chelsea*	*Westminster*	*Kensington and Chelsea*	*Westminster*	*Kensington and Chelsea*
Grants						
PFI special grant[1]	0	0	0	0	482	0
Single Regeneration Budget[2]	417	472	1,468	1,412	1,249	1,161
Estate Action[3]	9,000	0	5,860	0	2,301	0
City Challenge[4]	0	6,584	0	65	0	0
Home Improvement Agency Grant[5]	0	47	0	47	0	[19]—
Private Sector Renewal[6]	632	768	564	780	675	780
Disabled Facilities Grant[7]	28	71	66	60	90	60
Other Financial Support						
Basic Credit Approvals (BCAs)[8]	2,789	5,757	3,256	4,181	4,479	5,447
Capital Challenge BCAs[9]	0	0	1,220	0	1,792	0
Capital Challenge Supplementary Credit Approval[10]	150	0	400	0	448	0
Cash Incentive Scheme[11]	1,029	600	950	233	0	0
NDR Cost of collection allowance[12]	2,330	564	2,316	548	2,412	573
Capital Receipts Initiative[13]	2,039	1,095	6,618	3,959	7,176	4,319
Housing Revenue Account Subsidy[14]	38,273	22,489	36,300	22,126	[19]—	[19]—
Air Quality Supplementary Credit Approvals[15]	0	21	0	36	[19]—	[19]—
Transport Policies and Programme[16, 17]	5,270	2,218	3,094	2,142	[18]18,477	1,685

[1] Revenue support in respect of contracts let under the Private Finance Initiative.

[2] Grant to support regeneration initiatives carried out by local partnerships.

[3] Aims to transform estates by providing additional resources for local authorities to implement regeneration schemes.

[4] Grant to local authority-led partnerships to regenerate disadvantaged urban areas.

[5] Grant paid to local authorities towards the costs of home improvement agencies.

[6] Includes house renovation grants, group repairs and slum clearance.

[7] Grant towards the cost of adaptations to the dwellings of disabled people living in private dwellings.

[8] The amount of capital expenditure which an authority can finance by borrowing (or other forms of credit) is effectively limited by the credit approvals issued to it. Basic Credit Approvals (BCAs) can be used for any capital purpose.

[9, 10] Basic Credit Approvals and Supplementary Credit Approvals (used for specific capital projects) awarded under the Capital Challenge pilot scheme in a cross-cutting government initiative where local authorities were invited to identify and bid for their own local priorities across the full range of services.

[11] Supplementary Credit Approvals to support Cash Incentive Scheme grants to enable tenants to leave their Council home and buy in the private sector.

[12] The cost of collection allowance is in respect of the cost to local authorities of collecting the national business rate.

[13] Supplementary Credit Approvals allocated in respect of specific housing or housing related regeneration works.

[14] A specific subsidy regime to help local authorities meet council housing expenditure, including the cost of housing benefit for council tenants (rent rebates).

[15] To assist capital expenditure on statutory duties for air quality management under Part IV of the Environment Act 1995.

[16] To provide support towards expenditure on the construction and improvement of local roads, structural maintenance of bridges and carriageways, local safety schemes, London-wide bus and cycle priority networks and other schemes.

[17] Major schemes and principal carriageway works are supported by 50 per cent. grant and 50 per cent. credit approval. Remainder are entirely supported by credit approvals.

[18] Westminster is the lead authority for bridge projects in London. The 1999–2000 figure for Westminster includes £16.7 million for bridge strengthening, most of which will be redistributed to other London authorities during the coming financial year.

[19] Not yet agreed.

Missile Incidents (Roads and Railways)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* incidents have been reported of missiles being thrown from bridge parapets onto (i) motorways, (ii) other roads and (iii) railways and *(b)* how many such incidents have resulted in (1) death, (2) serious injury and (3) slight injury, in each of the last five years. [70270]

Ms Glenda Jackson: Records of the incidents of missiles being thrown from bridges on to motorways and trunk roads are not recorded specifically on the traffic accident forms completed by the police. Therefore a statistical database is not available to provide the information requested. The rate at which incidents involving serious injury occur on the roads for which the Highways Agency is responsible is thought to be up to three per annum in recent years according to the historic evidence of such incidents. None of these is believed to have resulted in fatalities. In some years there have been no reported injury accidents.

Other roads are the responsibility of individual highway authorities.

Records of the number of incidents where missiles have been specifically thrown from bridges on to the railway are not kept. However, since 1996–97 statistics of all incidents where the drivers' cab windows have been damaged due to missiles being thrown (not specifically from bridges) have been reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). During 1996–97 the total number of incidents was 468, of which 408 were malicious; during 1997–98 the totals were 619 and 512 respectively. Figures for previous years were not kept.

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what engineering measures he proposes to protect the travelling public from missiles being thrown from parapets of bridges over *(a)* motorways, *(b)* other roads and *(c)* railways. [70272]

Ms Glenda Jackson: The Departmental standard for the design of highway bridge parapets requires that they are 1.2 m high on road bridges over other roads and 1.5 m high on road bridges over railways. Parapets on bridges over railways are normally clad with a close mesh or steel panelling. Missiles thrown from bridges are usually isolated incidences that it is impossible to prevent completely.

Where there is a repeated problem at a particular location then local measures such as raising the parapet height and using a solid infill to the parapet may help. The provision of CCTV cameras and police patrols may also be used in addition to these engineering measures.

The Health and Safety Executive has published "Railway Safety Principles and Guidance" for the promoters of new railways of bridges which gives specific guidance on the height of bridge parapets. The guidance also states:

> "Where vandalism may be a problem, Parapets at least 1.8 m high or a totally enclosed structure may be necessary".

With regard existing bridges, many may not meet these guidelines. In such cases, the Health and Safety Executive would expect railway infrastructure owners to assess each bridge on its own merits, and, where a problem with vandalism may exist, take reasonable practicable measures to help prevent such incidents from occurring.

Road bridges not on the trunk road system are the responsibility of the appropriate highway authority.

Legal Services

Mr. Ruffley: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70029]

Mr. Meale *[holding answer 8 February 1999]:* This information is not held centrally and could be obtained only at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the rest of the government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

Water Provision Agreements

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has further to regulate water authorities in relation to the renegotiation of historic water provision agreements; and if he will make a statement. [70332]

Mr. Meale: The Government have no proposals affecting the provision of water and sewerage services under historic agreements. The Water Industry Bill, currently before Parliament, does not affect such agreements.

The terms, enforcement and renegotiation of any existing agreements entered into between undertakers and customers are matters between the parties.

Trains (Bicycles)

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions what powers he has to require train operating companies to make provision for the carriage of bicycles. [70536]

Ms Glenda Jackson: Existing franchises include a clause requiring Train Operators to provide, where practical, for the transport of bicycles on trains at reasonable charges (if any). The Objectives, Instructions and Guidance we issued to the Franchising Director in November 1997 (a copy is in the House Library) require him to discuss the provision of facilities for bicycles when operators are planning to order new rolling stock.

Trains (Eastern Timetables)

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has held with the train operating companies on their preparation of the Easter timetables; and when he expects the full Easter timetable for each of the rail companies to be available. [70384]

Ms Glenda Jackson: Accurate and timely timetable information is essential to encouraging greater use of the rail network. I look to Railtrack and train operators to ensure that information about Easter 1999 services is made available to the public accordingly in a timely and accurate manner. The Rail Regulator has recently published proposals to amend train operators' and Railtrack's licences to place an enforceable obligation on them to ensure passengers receive timely and accurate timetable information. Failure to comply could then result in enforcement action.

Millennium Contingency Measures

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what contingency measures his Department is planning for the first week of 2000 to meet any technical problems caused by the millennium bug in terms of *(a)* specialist advice and *(b)* staff overtime. [70595]

Mr. Meale: The Department and its Agencies have prepared outline Business Continuity Plans for the period up to and beyond the century date change. Detailed consideration of specific issues will be undertaken over the next few months.

Council Tax Benefit Subsidy

Mr. Watts: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 4 February 1999, *Official Report*, column *716*, on council tax benefit subsidy, if he will calculate the information requested using information on an authority 1998–99 taxbase and summarised by class of authority and by grouping with authorities with similar levels of benefit dependency. [70540]

Ms Armstrong: I do not expect authorities to spend above their guideline, but I have today placed in the Library of the House tables showing the reduction in council tax benefit subsidy on the assumptions specified, expressed both in cash and as a proportion of the authority's yield from council tax for standard spending. The tables also give the budgeted proportion of council tax yield accounted for by council tax benefit in 1998–99, and the data are provided in electronic form to enable any desired grouping of authorities.

School Transport (Staffordshire)

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what evidence the School Travel Advisory Group has received from Staffordshire County Council concerning its provision of school bus transport and the impact on school transport safety for children. [70538]

Ms Glenda Jackson: I am not aware that the School Travel Advisory Group has received evidence from Staffordshire County Council. The group's work will involve the collection of information and advice from a wide range of sources and I am sure that it would welcome evidence from Staffordshire County Council.

Cars (Crash Testing)

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress in *(a)* developing offset crash testing of cars and *(b)* agreeing the appropriate height for side crash testing. [70929]

Ms Glenda Jackson: Both an offset frontal crash test and a side crash test with an appropriate barrier height have been agreed as part of the new EC Directives on frontal and side impact (96/79/EC and 96/27/EC), which took effect on 1 October 1998. These Directives represent a useful improvement over the original Commission proposals. Various aspects of the Directives are to be reviewed by 1 October 2000. We have commissioned new research to identify possible future development so that the UK can make an effective contribution to the review.

Homelessness

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the current number of people sleeping on the streets in *(a)* London, *(b)* the south east of England and *(c)* other major cities in England. [70724]

Mr. Raynsford: The most reliable method of establishing the number of people sleeping rough is by undertaking a night time head count. In 1996 my Department published guidance to local authorities on how to conduct head counts of people sleeping rough using a standard methodology developed in partnership with experts from the voluntary sector and local authorities. DETR officials have worked in conjunction with the voluntary sector to encourage areas which consider they have a rough sleeping problem to conduct counts. Since 1996 local authorities have provided details of street counts which have been undertaken in their area within the Housing Investment Programme (HIP) returns.

(a) London—Street counts in central London are co-ordinated by Homeless Network, the umbrella group representing homeless organisations in London, and have been undertaken on a regular basis since 1992. The most recent count in June 1998 found 373 people sleeping rough. Several other London boroughs have also undertaken counts, finding a total of 132 rough sleepers.

(b) South east of England—The following table provides details of rough sleeper counts undertaken in local authorities in south east England.

Local Authority District	*County*	*Street count*	
		Date	*Number*
Slough	Berkshire	December 1997	12
Reading	Berkshire	November 1998	13
Windsor and Maidenhead	Berkshire	November 1997	3
Wycombe	Buckinghamshire	November 1997	2
Brighton and Hove	East Sussex	June 1996	44
Portsmouth	Hampshire	October 1997	21
Southampton	Hampshire	June 1998	22
Basingstoke and Deane	Hampshire	February 1998	5
Fareham	Hampshire	February 1998	13
Shepway	Kent	July 1996	3
Canterbury	Kent	June 1996	11
Oxford	Oxfordshire	July 1996	39
Guildford	Surrey	November 1997	8
Woking	Surrey	October 1997	7
Reigate and Banstead	Surrey	September 1995	0
Worthing	West Sussex	October 1997	5

Source:

DETR 1998 HIP Operational Information Form Section 1F *(c) Other areas in England*—The table provides details of rough sleeper counts undertaken in other local authorities in England.

Local Authority District	*County*	*Street count Date*	*Number*
Derby	Derbyshire	October 1997	2
Leicester	Leicestershire	June 1996	20
Northampton	Northamptonshire	September 1997	13
Nottingham	Nottinghamshire	July 1996	14
Luton	Bedfordshire	December 1997	5
Mid Bedfordshire	Bedfordshire	December 1997	1
Cambridge	Cambridgeshire	July 1997	30
Peterborough	Cambridgeshire	June 1997	2
Southend-on-Sea	Essex	1996	0
Colchester	Essex	December 1997	0
St. Albans	Hertfordshire	June 1998	3
East Hertfordshire	Hertfordshire	March 1998	6
Great Yarmouth	Norfolk	November 1997	13
Norwich	Norfolk	October 1997	19
Ipswich	Suffolk	December 1997	7
Liverpool	Merseyside	March 1998	17
South Tyneside	Tyne and Wear	June 1998	1
Newcastle upon Tyne	Tyne and Wear	March 1998	2
Sunderland	Tyne and Wear	February 1998	0
Manchester	Greater Manchester	July 1996	31
Oldham	Greater Manchester	July 1995	3
Tameside	Greater Manchester	February 1998	1
Bury	Greater Manchester	January 1998	12
Burnley	Lancashire	October 1997	0
Wyre	Lancashire	September 1997	6
Blackpool	Lancashire	July 1997	15
North Somerset	Avon	December 1997	1
Bath & North East Somerset	Avon	July 1996	12
Bristol	Avon	June 1998	42
Caradon	Cornwall	April 1998	3
Carrick	Cornwall	April 1998	3
Penwith	Cornwall	April 1998	17
Kerrier	Cornwall	March 1998	3
North Cornwall	Cornwall	March 1998	0
Restormel	Cornwall	March 1998	10
Mid Devon	Devon	October 1997	9
Plymouth	Devon	October 1997	13
Exeter	Devon	July 1997	27
Poole	Dorset	October 1997	4
Bournemouth	Dorset	August 1997	44
Weymouth and Portland	Dorset	May 1997	3
Cheltenham	Gloucestershire	December 1997	1
Gloucester	Gloucestershire	November 1997	16
Taunton Deane	Somerset	May 1997	1
Swindon	Wiltshire	December 1997	17
Worcester	Hereford and Worcester	1995	20
Redditch	Hereford and Worcester	March 1998	0
Newcastle-under-Lyme	Staffordshire	November 1997	0
Stoke-on-Trent	Staffordshire	November 1997	20
Warwick	Warwickshire	September 1997	3
Birmingham	West Midlands	November 1997	56
Kingston upon Hull	Humberside	November 1997	0
Hambleton	North Yorkshire	June 1997	0
Harrogate	North Yorkshire	March 1998	1
York	North Yorkshire	March 1998	12
Doncaster	South Yorkshire	September 1998	8
Barnsley	South Yorkshire	May 1998	0
Sheffield	South Yorkshire	April 1997	15
Leeds	West Yorkshire	October 1997	8
Bradford	West Yorkshire	September 1997	2
Wakefield	West Yorkshire	February 1996	8

Source:

DETR 1998 HIP Operational Information Form-Section 1F

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the current number of young persons aged *(a)* 16 to 18 years and *(b)* 18 to 25 years in hostel accommodation in London. [70725]

Mr. Raynsford: This information is not held centrally. The London Hostels Directory produced by Resource Information Services (RIS) provides details of over 26,000 bed spaces in a wide variety of hostels, shared houses and flats and other accommodation schemes. Some of these hostel schemes have a maximum age limit of 30 or under. Many other hostels in London will accept single homeless people from 18 to 65 years of age.

Aviculture

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will amend the guidelines on avicultural purposes in the Wildlife and Countryside Act 1981 to ensure that birds bred or reared in captivity cannot be *(a)* sold for profit or personal gain, *(b)* used for medical experimentation and *(c)* used for any other purpose except the propagation of the species under English Nature approved conditions. [70906]

Mr. Meale: Licences to take birds for Avicultural purposes are issued only after consultation with English Nature. Conditions are imposed on these licences to ensure that the birds cannot be used for any other purpose. Birds can be sold only with the approval of the Department. There are no plans to amend the current procedure.

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding the issuing of a licence to take 60 redwings from the wild for avicultural purposes; and if he will make a statement regarding their treatment and potential release. [70905]

Mr. Meale: My Department has received four representations concerning the licence to take sixty redwings. The licence issued was granted subject to the condition that the birds were taken solely for the purpose of aviculture.

Road Speed Limits

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the advantages of introducing a national road speed limit of 30 mph through rural villages with the option of 20 mph speed limit in specific villages; and if he will make a statement. [70946]

Ms Glenda Jackson: The Government are currently engaged in a fundamental review of speed policy to take account of safety, the economy and the environment. The general issue of speed limits and, particularly, the effective management of speed on rural roads and through villages will be considered within the review.

Flying Regulations

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the regulations governing the flying of civil aircraft while under the influence of drink or drugs; and if he will make a statement. [71050]

Ms Glenda Jackson: Yes. It is currently an offence for any person to act as a member of an aircraft's crew while under the influence of drink or drugs. However, there is no power for the police to require samples from someone suspected of committing an offence. While there is no evidence to suggest that alcohol or drug abuse by aircraft crew is a problem, it is our long-term intention to introduce legislation to set an alcohol limit for aircraft crew and to give the Police the power to require suspected offenders to provide samples for testing.

Groundwater Regulations 1998

Mrs. Shephard: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish the guidance to the Groundwater Regulations 1998. [70422]

Mr. Meacher *[holding answer 11 February 1999]:* Draft guidance on the Groundwater Regulations 1998 will be published for consultation as soon as possible, and I will inform the House when it is available. Subject to resolving points which arise in consultation, a final version of the guidance is expected to be published in July. Later this month the Environment Agency will issue interim guidance dealing with making applications for authorisations under the Regulations. This will cover transitional arrangements which allow applications to be made prior to 1 April (when the main provisions come into force) and, in the case of activities conducted by the same person which are substantially the same as those previously undertaken, deemed approved until otherwise disposed of by the Agency.

Seatbelts (Exemption)

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions how many people have been granted exemption certificates from the wearing of seatbelts in each of the last 10 years for which figures are available. [70881]

Ms Glenda Jackson: The information is not collected. Certificates of Exemption From Compulsory Seat Belt Wearing are issued by medical practitioners to those patients who, in the opinion of the medical practitioner, should be exempt on medical grounds. There is no general requirement for this information to be sent to the Department.

EC Directive 96/59/EC

Mr. Fitzpatrick: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the public consultation Regulations on the implementation of EC Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated triphenyls. [71424]

Mr. Meacher: I am publishing the draft Regulations today. The public consultation will last for a period of six weeks.

A copy of the consultation documents have been placed in the Library of the House.

London Underground

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what safety advice was received from station staff at Swiss Cottage about the advisability of continuing services on the Metropolitan and Jubilee lines of the London Underground on 7 February; and if this advice was followed. [71083]

Ms Glenda Jackson: Advice from the Jubilee line was that, by implementing passenger flow control (in essence restricting the numbers of people entering the station) in accordance with the Swiss Cottage Station Emergency Plans, it was considered both safe and feasible to keep stations open and the train service operating. Trains were held at Finchley Road southbound to ensure that trains were not delayed in tunnels, and train operators were accompanied by managers to enable a quicker response should problems arise.

The Line Emergency Plan was put into operation by the Duty Operations Manager.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions between what hours on Sunday 7 February water penetrated the Jubilee and Metropolitan tube line tunnels between Finchley Road and Swiss Cottage on the London Underground; and to what depth. [71081]

Ms Glenda Jackson: The full facts of the incident have yet to be totally established. As is usual, a formal London Underground Incident Investigation Report is to be carried out.

However, London Underground Limited (LUL) believe that a 150 mm diameter Thames Water water main burst above the LUL network. It is believed this burst occurred around 1600 hrs on 7 February 1999.

Water entered over time into both the Jubilee and Metropolitan Lines. The major water ingress was on to the Metropolitan Line Southbound in the Finchley Road area. A maximum depth of approximately 1.2 m was evident along a length of tunnel of some 5 m. This depth of flooding lasted some 13 hours in total during Sunday 7 February and Monday 8 February 1999.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what safety procedures are in place in the event of water penetration into London Underground tunnels. [71082]

Ms Glenda Jackson: LUL has significant procedures in place to deal with water penetration. Permanent pumping arrangements consist of in situ sumps, pumps and drains for clearing normal day to day ingress with sufficient additional design capacity to cover additional storm flows. In addition, research is ongoing to improve the technical knowledge required to deal with rising groundwater under London and various courses of action are being taken to deal with this.

As regards flooding from burst water mains etc., remote sensing from permanent pump locations give automatic warnings to local control rooms and in many cases this is also linked direct to the specialist internal pumps contractor located with key emergency resource at Griffith House in the Edgware Road area. As these alarms are raised, together with any visual reports from operational staff, the incident becomes identified and logged at Line Control Centre. The Line Controller will alert the line's engineering services help desk (or line service centre) who will initiate the necessary emergency call-outs. Depending on the severity, additional engineering experience remains available on a 24 hour Duty roster.

In addition, special London Underground Safety Procedures are set out in the Incident Organisation Manual. This manual ensures provision for the safety of customers and employees and provides a fast and effective response to all types of incident with the objectives of containing the incident and minimising harm, loss of property and business and the potential loss of life.

Waste Plants (Energy Generation)

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to encourage energy from waste plants to increase energy efficiency; [70766]

(2) if he will make a statement on the definition used by his Department of an energy from waste plant. [70765]

Mr. Meale: Although there is no statutory definition of an energy from waste plant, the term can be applied to any technology which makes use of waste to supply useful heat and/or power. The waste can include municipal, industrial, commercial and agricultural waste, or sewage. Energy can be recovered through a number of different technologies, including incineration, pyrolysis, gasification, and anaerobic digestion.

Energy from waste must be considered in the context of an integrated approach to waste management, and the Government support its use where economic and environmentally beneficial. Energy from waste schemes should be developed to the highest practicable levels of environmental protection and energy efficiency, as the Government will reflect in their forthcoming Waste Strategy, Climate Change Programme, and promotion of Combined Heat and Power.

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to treat energy from waste plants on the same basis as other electricity and power generating bodies for rating purposes; [70764]

(2) what plans he has to issue regulations with regard to the rating of energy from waste plants prior to the Coventry appeal case being heard by the House of Lords. [70763]

Ms Armstrong: The next revaluation of property for non-domestic rates will take effect on 1 April 2000. We are currently reviewing the way in which waste to energy plants are treated under non-domestic rates and we will introduce any changes on 1 April 2000.

Signing Routes (M25)

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions how many signs, and at what cost, are currently being installed by the Highways Agency to complete signing routes to the M25. [71075]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Paul Burstow, dated 15 February 1999:

The Minister for Transport in London, Glenda Jackson, has asked me to reply to your recent Parliamentary Question about the cost of the London Primary Route Network Signing project, and the number of direction signs which will be replaced.

The estimated cost of the project, which involves the design and erection of some 5000 direction signs in the primary road network within the M25, is £27.4m (excluding VAT).

You might be interested to know that the project is being carried out in three phases. The first two phases, which are both currently underway, cover east-London and south-west London. Work on the third phase covering north-west London is expected to start later this year. The whole project is expected to be completed by early 2001.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70466]

Mr. Meale: 78 per cent. of my Department's staff, including agencies, are employed outside London following a number of relocation exercises over the years. The scope to decentralise more work will be kept under review.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70480]

Mr. Meale: Figures showing the number of staff for the Department of the Environment, Transport and the Regions, together with a regional breakdown of all Departmental staff, are given in the "Civil Service Statistics 1998", which has been placed in the Library.

Community Transport Services

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to support the development of community transport services for the *(a)* elderly and *(b)* disabled. [70453]

Ms Glenda Jackson: My Department gives funding support for the Community Transport Association's Advice and Information Service which provides a valuable source of guidance to operators of community transport services. In addition, we have commissioned a national review of the role of community and voluntary transport operators to help our understanding of the changing role that they play in meeting the needs of elderly and disabled people as well as other groups. The report is due to be received by the Department later this month and we will be studying the findings and recommendations carefully.

Fuel Duty Rebate

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the extension of eligibility for fuel duty rebate to door-to-door services for disabled and elderly people. [70452]

Ms Glenda Jackson: We have received a considerable number of representations about this matter, on which the review of voluntary transport commissioned by the Department makes recommendations. The review's report will be published shortly and we will consider all its recommendations carefully.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 December 1998, *Official Report*, column *536*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71007]

Mr. Meale: The expenditure on publications incurred by DETR and not included in my previous answer is some £3,759,000 since 1 May 1997.

The expenditure on research among focus groups was some £128,000. This figure was subsumed within the figure for public opinion research, contained in my answer of 16 December 1998.

It is not possible to give a breakdown on expenditure incurred by task forces and review bodies without incurring disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 December 1998, *Official Report*, column *536*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71004]

Mr. Meale: The expenditure on research and advertising incurred by my Department's executive agencies is:

£

Agency	*Research*	*Advertising*	*Direct mail*
DVLA	[1]124,000	5,000,000	[2]408,000
DSA	71,000	15,000	149,000
MCA	15,463	87,403	2,355
Vehicle Inspectorate	nil	9,850	nil
VCA	nil	nil	nil
QE11	nil	23,863	5,840
Planning Inspectorate	7,000	nil	nil
Highways Agency	60,000	74,000	nil

[1] Includes expenditure on public acceptance research on Statutory Off Road Notifications (SORN)

[2] Includes expenditure on mailings to support SORN

The expenditure on research and advertising incurred by DETR sponsored NDPBs is not available centrally and cannot be provided without disproportionate cost.

The majority of the Department's research and advertising is placed through the Central Office of Information and therefore the expenditure for relevant work (other than mailings) carried out for the Department by the Central Office of Information is as provided in my answer of 16 December 1998.

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70973]

Mr. Meale: DETR's Website was launched in November 1997 at a cost of some £5,000. DETR's core Website includes the Air Accidents Investigation Branch, Marine Accidents Investigation Branch, the Maritime and Coastguard Agency and the Vehicle Certification Agency, as well as two related sites, one providing air quality information and one with information aimed at local government. It also hosts several NDPBs—the Advisory Committee on Releases to the Environment, the Expert Panel on Air Quality Standards and the Disabled Person's Transport Advisory Committee. The cost of running these sites in the financial year 1998–99 is some £320,000. This is within budget.

(i) The core Website publishes information covering the full [illegible] of the Department's responsibilities—aviation, construction, drinking water, environmental protection, housing, local government, London, local transport, mobility, planning, railways, regeneration, roads, road safety, shipping, wildlife and the countryside.

(ii) Average monthly hits are 1.65 million.

(iii) Estimated expenditure over the next three years: 1999–2000 £450,000; 2000–2001 £550,000; 2001–2002 £650,000.

The Department also runs a Website for one NDPB, The British Government Panel on Sustainable Development. Its set-up costs were some £2,000 and annual running cost is estimated at £2,500.

(i) This Website publishes its annual reports to the Prime Minister.

(ii) Average monthly hits are 1,000.

(iii) estimated expenditure over the next three years: 1999–2000 £3,000; 2000–2001 £3,500; 2001–2002 £4,000.

Management of other DETR agency and NDPB Websites is devolved to these bodies. The following information is available.

DETR Executive Agencies

Highways Agency Website—set-up costs of some £32,000; annual running cost estimate at £15,000.

(i) Publishes details of organisational structure and contact points, agency documentation, such as annual reports, information relating to individual road schemes, planned road improvements information, contractors information and a children's interactive section.

(ii) Average monthly hits: 47,000.

(iii) Estimated expenditure over the next three years: currently not finalised.

Driver and Vehicle Licensing Agency Website—set-up costs of some £1,600; annual running cost estimated at £1,000.

(i) Publishes information on vehicle registration, driving licence information, answers to frequently asked questions, contact points, annual report and current consultation papers.

(ii) Average monthly hits 93,500

(iii) Estimated expenditure over the next three years: 1999–2000 £2,000; 2000–2001 £5,500; 2001–2002 £5,000.

Driver and Vehicle Licensing Agency Sales of Marks Website—set-up costs of some £15,000; annual running cost estimated at £17,000.

(i) Established to advertise and promote DVLA's sale of Marks scheme. The buying of selected registrations.

(ii) Average monthly hits 690,000.

(iii) Estimated expenditure over the next three years: 1999–2000 £60,000; 2000–2001 £60,000; 2001–2002 £60,000.

Vehicle Inspectorate Website. Its set-up costs were some £200 and annual running cost is estimated at £1,200.

(i) This Website publishes Who we are, What we do, MOT test, HGV and PSV tests information, Single Vehicle Approval, information on other types of testing, enforcement, accidents, defects and recalls.

(ii) Average monthly hits are 1,000.

(iii) Estimated expenditure over the next three years: 1999–2000 £1,200; 2000–2001 £1,200; 2001–2002 £1,200.

Driving Standards Agency has no Website.

Vehicle Certification Agency part of the DETR core site.

Maritime and Coastguard Agency part of the DETR core site.

Queen Elizabeth II Conference Centre has no Website.

Planning Inspectorate Website—set-up costs of some £1,300; annual running cost estimated at £1,500.

(i) Publishes information concerning the work of the organisation and its objectives, subscription information for the Planning Inspectorate Journal; and information about the work of a Planning Inspector.

(ii) Average monthly hits 500

(iii) Estimated expenditure over the next three years: 1999–2000 £2,000; 2000–2001 £2,000; 2001–2002 £2,000.

Information for all DETRs, NDPBs and Government Offices can be provided only at disproportionate cost. Information on the following major NDPB Websites is given:

Environment Agency Website—set-up costs of some £2000.00; annual running cost estimated at £105,000.

(i) Publishes state of the environment reports including Waste, radioactive substances, air quality and river quality. Guidance and information including flood defence, flood warning, waste information, water conservation, corporate information, board minutes, research and development programmes and summaries.

(ii) Average monthly hits 850,000.

(iii) Estimated expenditure over the next three years: 1999–2000 £350,000; 2000–2001 £1,000,000; 2001–2002 £1,000,000.

Audit Commission Website—set-up costs of some £30,000; annual running cost estimated at £15,000.

(i) Publishes a range of corporate information, publications catalogue, paid for subscription service for technical reviews, on-line local authorities performance indicators and directory of Audit appointments.

(ii) Average monthly visitors 2,100.

(iii) Estimated expenditure over the next three years: 1999–2000 £40,000; 2000–2001 £20,000; 2001–2002 £20,000.

Health and Safety Executive Website. Its set-up costs were nil and annual running cost is estimated at £6,000.

(i) This Website publishes information relating to health and safety at work and general information on HSE's business, how to obtain publications and standards of performance.

(ii) Average monthly hits are 190,000.

(iii) Estimated expenditure over the next three years: 1999–2000 £6,000; 2000–2001 £6,000; 2001–2002 £6,000.

Health and Safety Executive Commercial Website. Its set-up costs were £10,000 and annual running cost is estimated at £20,000.

(i) This Commercial Website sells two HSE Books on the Year 2000 and is developing as an e-commerce site.

(ii) Average monthly hits are 30,000.

(iii) Estimated expenditure over the next three years: 1999–2000 £20,000; 2000–2001 £20,000, 2001–2002 £20,000.

Annual Vehicle Emissions Test

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the introduction of an annual emissions test for all cars. [71078]

Ms Glenda Jackson: All cars have their exhaust emissions performance checked in the MOT test. Cars are tested annually from their third year of registration and we have no plans to change this arrangement.

Hereford Bypass

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions what planning guidance has been sought from his Department in respect of a planning application for a development on the route of the proposed Hereford bypass; and if he will make a statement. [71182]

Mr. Caborn: The A49 Hereford North-South Relief Road (the Hereford bypass) has been withdrawn from the national trunk road programme. However, the Secretary of State is aware that the Herefordshire Council wishes to continue to protect the bypass line for possible future Herefordshire Council road schemes. He currently has before him a planning appeal in respect of proposed development on the line of the route and the hon. Member will therefore understand that I cannot prejudice his consideration of that appeal by commenting further on the issue.

Westfields Football Club

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions what consultation he had with *(a)* Herefordshire Council and *(b)* other parties concerning planning application SS 980 800 P.F., Westfields Football Club, Hereford; and if he will make a statement. [R] [71183]

Mr. Caborn: The Secretary of State was not consulted on the planning merits of this case. Only certain planning applications are referred to the Secretary of State, for example departures from the development plan for the area, for him to decide whether or not to exercise his powers of call in for his own decision. Applicants would, however, be referred to him only where the local planning authority was minded to approve the proposal. In this case I understand the application was refused. The Highways Agency was consulted and raised no objection but directed that, if the application were approved, certain conditions aimed at protecting the interests of road safety on the A465 trunk road, should be included.

The applicant has a right to appeal against the decision of the Herefordshire Council, which would come before the Secretary of State, and the hon. Member will understand, therefore, that it would not be appropriate for me to comment on this case.

Local Authority Expenditure

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy that local authorities should set each head of their budgets at the figure published by central Government as a standard spending assessment. [70930]

Ms Armstrong: No. It is for each authority to decide its spending priorities. Standard Spending Assessments are a means of distributing grant.

Permanent Housing (Homeless)

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to restore the duty on local authorities to find permanent housing for the homeless; and if he will make a statement. [70890]

Mr. Raynsford: Shortly after taking office, the Government made regulations which require local housing authorities to give reasonable preference in the allocation of permanent social tenancies to people who are owed a main homelessness duty, that is, those who have been found to be unintentionally homeless and in priority need. We have also made an order which requires that, where authorities discharge this duty by assisting applicants to secure alternative accommodation for themselves, the authority must be satisfied that the accommodation will be available for at least 2 years. These measures have strengthened the position of homeless people and the Government are presently considering what other steps should be taken to ensure that they get the assistance and protection that they need.

Vehicle Ownership

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* privately owned motor vehicles, *(b)* company cars and *(c)* commercial vans and lorries there were in the United Kingdom at the latest date for which figures are available. [70696]

Dr. Reid: According to Driver and Vehicle Licensing Agency files, at the end of September 1998 there were 23.43 million motorcars with a current licence in Great Britain, of which 2.43 million had a company address as the registered keeper.

At the end of September 1998, there were 2.69 million licensed vehicles with some form of goods body type, the majority of which were light goods vehicles taxed within the private and light goods taxation group, but including 417,000 goods vehicles in tax classes 1 and 2, with revenue weight over 3.5 tonnes gross.

While vehicles pay excise duty according to their taxation class, determined on the basis of their construction and use, DVLA records, in general, contain no further information on the purpose for which vehicles are used. The degree to which the above goods vehicles are wholly or partially involved in commercial activity is not known.

Comparable statistics for Northern Ireland are prepared by the Department of Environment (Northern Ireland). Figures taken from the Northern Ireland Transport Statistics report for the end of 1997, showed 583,000 licensed cars, and 68,000 vehicles with all form of goods body type, including 18,000 goods vehicles in tax classes 1 and 2, with revenue weight over 3.5 tonnes gross.

Registered Social Landlords

Laura Moffatt: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend the permissible additional purposes or objects of registered social landlords so that they can play a full part in regeneration activities; and if he will make a statement. [71642]

Ms Armstrong: We wish to ensure that Registered Social Landlords (RSLs) can fully engage in the government's wider social regeneration agenda. My Department is therefore consulting interested bodies on a draft of an Order which would extend the permissible additional purposes or objects of RSLs in England and Wales.

The Order's broad purpose is to enable an RSL to provide services and amenities to people who are not resident in the RSL's property, so long as some of its own tenants benefit; and in certain circumstances to engage in regeneration activities such as the New Deal for Communities.

Section 2 of the Housing Act 1996 specifies the bodies that are eligible for registration as non charitable social landlords. For two categories of body (a society registered under the Industrial and Provident Societies Act 1965 and a company registered under the Companies Act 1985) the section sets out conditions that must be satisfied for registration. In addition to the core purposes or objects, there are permissible additional purposes or objects.

The draft Order proposes further permissible additional purposes or objects that such a body may have, namely:

> carrying out certain activities, including the provision of land, amenities or services, for persons who are not residents of the body, where any such activity is also being carried out for the body's own residents;
>
> where the body is managing certain accommodation, providing amenities or services for residents both of that accommodation and of other accommodation;
>
> where persons are benefiting from activities already referred to in or specified under Section 2, carrying out regeneration activities for the benefit of those persons, or for the benefit both of those persons and others.

The proposed Order would substantially increase the range of activities that certain RSLs may undertake. RSLs will need to consider carefully the appropriate sources of funding for activities outside conventional housing management and the extent to which these activities could cause risks. Activities that support an RSL's core business by helping to maintain sustainable communities may help lower costs and exposure to risk. But certain types of diversification may increase the sector's risk exposure and this raises difficult regulatory issues. To address this concern the Housing Corporation is today issuing a discussion paper on how it might develop its regulatory framework.

Bus Fuel Rebate Scheme

Mr. Paterson: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate expenditure on the bus fuel rebate scheme in each year from 1999–2000 to 2003–04. [71435]

Ms Glenda Jackson: Expenditure on fuel duty rebate for Great Britain as a whole is expected to be £270 million in the current financial year. Expenditure in future years will depend on the total of fuel consumed in operating eligible routes for which bus operators make claims for rebate, and on decisions still to be taken on the proportion of duty paid to be rebated in each year.

Emissions (Pollutants)

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve the availability of information on emissions of polluting substances in England and Wales. [71707]

Mr. Meacher: The Environment Agency currently compiles an inventory of polluting substances emitted from processes subject to Integrated Pollution Control in England and Wales, the Chemical Release Inventory. Following an extended period of consultation, the Agency announced on 27 November 1998 that it was varying the authorisations of all IPC processes to require the provision of data on a more consistent basis. The Agency, in consultation with stakeholders, has developed a standard list of pollutants and reporting thresholds. All operations with processes subject to IPC will now have to report on their emissions of these substances where they exceed the thresholds. The Agency is also planning at a future date to extend the inventory to require other processes it regulates, such as landfill sites and sewage treatment works, to report on their emissions in the same way.

The Agency has varied IPC authorisations to require information about emissions during 1998 to be provided in the new format. Where measured data are not available operators will be able to calculate or estimate their emissions. The Agency hopes to make the new emission database available in a searchable form on the Internet during the first half of 1999. The Agency has also announced that it is forming an advisory committee to advise on the development of the new database and keep the pollutants reported and thresholds under review.

I welcome the improvements the Agency is making to the Chemical Release Inventory. The timely provision of comprehensive emissions data in a readily accessible format is necessary to secure the public's right to know about environmental pollution. I particularly welcome the fact that emissions data will be collected on a consistent basis from all 2,000 IPC processes and that the Agency has made an early start by collecting this data for 1998.

Older Drivers

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons drivers approaching the age of 70 years are asked for the country of their birth; what purpose such a question serves in determining a person's fitness to drive; and if he will make a statement. [71137]

Ms Glenda Jackson: The second EC Directive on the driving licence requires the holder's place of birth to be shown on the driving licence.

Road Works (Central London)

Mr. Soames: To ask the Secretary of State for the Environment, Transport and the Regions who is responsible for co-ordinating road works in Central London. [70812]

Ms Glenda Jackson: Under the New Roads and Street Works Act 1991 each London borough is responsible for co-ordination of its own works and statutory undertakers' street works in its area. We have issued a Code of Practice for the Co-ordination of Street Works which requires the street authority to co-ordinate the execution of works of all kinds in the streets for which it is responsible.

School Playing Fields

Mr. Spring: To ask the Secretary of State for the Environment, Transport and the Regions if he will make an assessment of the effectiveness of the Town and Country Planning (Playing Fields) (England) Direction 1998 in maintaining the number of school playing fields; and if he will estimate the number of school playing fields *(a)* which remain in use and *(b)* which were closed in each of the last five years. [70979]

Mr. Raynsford: The Town and Country Planning (Playing Fields) (England) Direction 1998 came into effect on 23 December last year. No planning applications have been determined by the Secretary of State as a result of referral under the Direction.

The remaining questions are matters for my right hon. Friend the Secretary of State for Education and Employment, although I understand that his Department does not collect this information.

TRADE AND INDUSTRY

Arms Export Licences (Indonesia)

Ann Clwyd: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 1 February 1999, *Official Report*, column *502*, on export licences, if he will list the number of licences granted to Indonesia, by category, for the period from May 1997 to 10 May 1998. [69395]

Dr. Howells: I refer my hon. Friend to the answer given by the then Secretary of State, my right hon. Friend the Member for Derby, South (Mrs. Beckett), on 2 December 1997, *Official Report*, columns *124–26*, to the hon. Member for West Dorset (Mr. Baker); and the replies given by the then Minister for Small Firms, Trade and Industry, my hon. Friend the Member for

Hornsey and Wood Green (Mrs. Roche), of 8 April 1998, *Official Report*, columns *345–46*, and 3 June 1998 *Official Report*, column *227*, to my hon. Friend.

Renewable Energy

Mr. Stunell: To ask the Secretary of State for Trade and Industry when he plans to publish the findings of the Renewable Energy Review; and if he will make a statement on targets for renewable energy generation beyond 2010. [66197]

Mr. Battle: I intend to issue a review document shortly. It will examine the status and prospects for renewables, and will suggest possible options for a future programme and invite comments in order to assist us in finalising our future policy.

I am concerned to look up to and beyond 2010 for continued growth in renewables. A growing contribution from new and renewable energy is likely to be required for any future greenhouse gas reduction commitments, provide additional competition and diversity in the generation market, and a UK industry to supply home and export markets. It is not the case that any target represents an end in itself. It is a step along the way to achieving a sustainable energy supply.

Former Secretary of State

Mr. Redwood: To ask the Secretary of State for Trade and Industry what procedures were put in place to ensure there was *(a)* no conflict of interest and *(b)* no appearance of conflict of interest when the former Secretary of State, the right hon. Member for Hartlepool (Mr. Mandelson), met BAe during his period as Secretary of State. [66601]

Mr. Byers *[holding answer 19 January 1999]:* I refer the right hon. Gentleman to the answer which my right hon. Friend the Member for Hartlepool (Mr. Mandleson) gave to the hon. Member for Chichester (Mr. Tyrie) on 7 December 1998, *Official Report*, column *65*.

Research Establishments (Privatisation)

Dr. Lynne Jones: To ask the Secretary of State for Trade and Industry if he will list the previously publicly owned research establishments that have been privatised in the last 10 years, indicating their current owners. [69662]

Mr. Battle: Government owned research establishments transferred to the private sector in the last ten years are listed as follows:

Establishment	*Current owners*	*Date privatised*
Agricultural Development Advisory Service (ADAS)	ADAS Consulting Ltd.	April 1997
Atomic Energy Authority (AEA)	AEA Technology plc	September 1996
Laboratory of the Government Chemist (LGC)	LGC (Teddington) Ltd.	April 1996
National Engineering Laboratory (NEL)	TUV Product Service (UK) Ltd. and Siemens Holdings Ltd.	November 1995
Warren Spring Laboratory (WSL)	AEA Technology plc	September 1996
Building Research Establishment (BRE)	Foundation for Building Environment—consortium of management buyout and other bodies	March 1997
Transport Research Laboratory (TRL)	Transport Research Foundation consortium of management buyout and other bodies	March 1996

Space Research Programmes

Mr. Waterson: To ask the Secretary of State for Trade and Industry if he will make a statement on the extent of current UK involvement in US and EU space research and programmes. [70199]

Mr. Battle: The UK pursues its space programme primarily in collaboration with the member states of the European Space Agency (ESA). In addition, researchers collaborate extensively, both directly and through ESA, with the United States and the EU.

Collaboration with the European Union focuses on the Framework research programme into which Member States contribute. The four year Framework IV concluded in 1998. UK firms won some 16–17 per cent. of the available funding with a major part played by our strong academic community; small and medium-sized enterprises have been particularly successful. The UK space sector has especially benefited from the Centre for Earth Observation (CEO) and environment and climate programmes. For example, British firms took part in a project to determine how satellite technology can be used to complement Earth Observation and other sources of information on agriculture and forestry. There will be considerable opportunities under the Framework V programme and my officials are working to ensure that British companies are fully involved.

Collaboration with the United States takes place in fields such as environmental science, space-based astronomy and planetary science.

The UK also collaborates with the US through ESA programmes and through EUMETSAT, which provides operational weather systems. There is also strong collaboration between British and American scientists in the global change programme and participation in major NASA field experiments. The UK has provided instruments for several missions carried out as a partnership between ESA and NASA. Missions active at the moment are Ulysses, Cassini-Huygens and SOHO. The UK is also a strong contributor to the future missions FIRST, Planck Surveyor and the Next Generation Space Telescope, which will involve ESA partnership with NASA. The UK is the leading European user of the Hubble Space Telescope.

Petrol Suppliers (Four Star Petrol)

Mr. Boswell: To ask the Secretary of State for Trade and Industry what discussions he has held with major petrol suppliers on their plans and timetable for withdrawal of four star petrol from sale at filling stations and for the reprovision of facilities for essential supplies; and if he will make a statement. [69759]

Mr. Battle *[holding answer 8 February 1999]:* My Officials have had several meetings with the major petrol suppliers on this issue to ensure that suitable alternatives will be available to motorists.

Plutonium Shipments (Japan)

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry how many naval vessels are planned to provide protection for each shipment of plutonium fuel to Japan. [70661]

Mr. Battle: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Stroud (Mr. Drew) on 18 January 1999, *Official Report,* columns *364–65.*

EU Structural Funds

Mr. Mitchell: To ask the Secretary of State for Trade and Industry what assessment he has made of the effects of the decline of the euro against sterling on payments of regional and other aid from the EU. [70618]

Mr. Wills: Allocations of funding by the Commission to Structural Funds programmes are made in Euro. Offers of grant from the programmes are made in sterling and budgets are managed to minimise the exchange rate risks to the Exchequer. The Government will meet all legitimate claims for Structural Funds grant payments.

Engineering

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what initiatives his Department has taken since 1 May 1997 to support the engineering profession in the United Kingdom. [70703]

Mr. Battle: My Department has today agreed to provide funding of up to £175,000 p.a. for three years, with the possibility of support for a further two years thereafter subject to satisfactory progress, towards support for the promotion of engineering. This includes up to £425,000 p.a. specifically for the work being planned by Quinco, subject to individual projects satisfying my Department's approval procedures. The largest single item in the Quinco allocation is a sum of £250,000 p.a. towards the Engineering Image Campaign on which the Engineering Council has been working in partnership with EEF and EMTA. £75,000 p.a. is being set aside for existing projects established under the Action for Engineering initiative, of which the most notable of these is the Science, Engineering, Technology and Mathematics Network (SETNET).

I have also agreed today to provide £34,000 to the Engineering Council towards the costs of producing an updated version of their Environmental Guidelines for Engineers, which highlight the importance of sustainable development.

Since 1 May 1997, the Department has also provided funding for the Women Into Science and Engineering (WISE) Outlook Initiative Programme (£35,000).

Minimum Wage

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry what evidence he has obtained that employers offering low-paid work are cutting the hours of employees in advance of the introduction of the minimum wage. [70884]

Mr. Ian McCartney: I have received two letters giving details of employers who are cutting their workers' hours of work in advance of the introduction of the national minimum wage.

Cigarette Lighters

Mr. Bruce George: To ask the Secretary of State for Trade and Industry when he expects the report of the findings of the recent European Commission investigation into imported cigarette lighters which purport to be refillable in order to circumvent the anti-dumping duty to be published. [70805]

Mr. Wilson: The Council Regulation resulting from the Commission's investigation was published as Council Regulation (EC) No 192–1999 of 25 January 1999 in the "Official Journal of the European Communities", No. L22 of 29 January 1999. The Regulation entered into force on 30 January 1999 and, broadly, extends the application of the anti-dumping duty on disposable, non-refillable lighters originating in China to such lighters originating in, or consigned from, Taiwan and to refillable lighters (of less than a certain value) originating in both China and Taiwan.

Longbridge

Mr. Burden: To ask the Secretary of State for Trade and Industry what discussions he has had with BMW on the future of their investment in the United Kingdom. [70913]

Mr. Battle: Both my right hon. Friend the Secretary of State and DTI officials have been maintaining close contact with BMW over the situation at Longbridge. Following last week's Board changes we understand that BMW's investment review of their medium car strategy is still underway and the company continues to look closely at Longbridge as a possible location. No immediate decision is expected.

Mr. Burden: To ask the Secretary of State for Trade and Industry what estimate he has made of the importance of Rover's Longbridge plant to manufacturing industry in the Midlands. [70912]

Mr. Battle: My right hon. Friend the Secretary of State recognises that the plant plays a major role, though no specific estimate of its direct importance has been made. Longbridge currently employs around 14,000 people and a considerably larger number of jobs in the UK's component supply industry are likely to be reliant on the plant.

Mr. Burden: To ask the Secretary of State for Trade and Industry what representations he has had from the Birmingham Economic Development Partnership concerning the future of Rover's Longbridge plant. [70911]

Mr. Battle: During my right hon. Friend's visit to Longbridge on 8 February, he had the opportunity to discuss some of the issues surrounding the future of the plant with members of the Birmingham Economic Development Partnership.

Mr. Burden: To ask the Secretary of State for Trade and Industry if he will make a statement on the future of Rover's Longbridge plant. [70910]

Mr. Battle: I welcome the confirmation given by BMW last year that the new Mini will be produced at Longbridge.

BMW's review of future medium vehicle production at Longbridge is still underway and no decision is expected immediately. My right hon. Friend the Secretary of State for Trade and Industry and the DTI are maintaining close links with BMW and will take every opportunity to represent the interests of Rover in an effort to secure the right investment outcome for the plant.

Mr. Burden: To ask the Secretary of State for Trade and Industry what representations he has had from the trade unions representing employees at Rover. [70914]

Mr. Battle: My right hon. Friend the Secretary of State for Trade and Industry and his predecessor have both maintained close contact with unions at Rover over Longbridge. Most recently, my right hon. Friend took the opportunity to talk to both unions and management when he visited the plant on Monday 8 February. He was grateful to both groups for giving him their views on the present situation.

Gas-fired Power Stations

Maria Eagle: To ask the Secretary of State for Trade and Industry when he will announce his decision on British Sugar plc's application to build a new combined heat and power gas-fired power station. [71524]

Mr. Battle: I have today granted consent under Section 36 of the Electricity Act 1989 for a 70 MW gas-fired Combined Heat and Power station at the British Sugar factory in York. The station has also today been given planning permission and clearance (as a gas-fired station) under Section 14 of the Energy Act 1976. The decisions have been taken in accordance with the policy set out in the White Paper entitled "Conclusions of the Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071).

The Government's recent White Paper set out a stricter consents policy towards applications for new gas-fired power stations but indicated that the Government's concerns might be outweighed by the environmental and other benefits of CHP. The Government are of the view that this project falls within the description of CHP identified in the White Paper and the granting of Section 36 consent is consistent with the policy set out in it.

German Nuclear Waste

Mr. Chaytor: To ask the Secretary of State for Trade and Industry (1) what discussions he has had with the German Government concerning the possibility of converting contracts for the reprocessing of German spent nuclear fuel into contracts for the conditioning, temporary storage, transport cask construction, transport to Germany and building of storage facilities in Germany of German spent nuclear fuel, German nuclear waste and German separated plutonium now at Sellafield; and if he will make a statement; [70487]

(2) if his Department has undertaken a study of how contracts for the reprocessing of German spent nuclear fuel at Sellafield could be converted into contracts for dealing with German spent nuclear fuel, nuclear waste and separated plutonium now at Sellafield; and if he will make a statement. [70488]

Mr. Battle: The Secretary of State for Trade and Industry and I have recently held discussions with members of the German government at which we reminded them that the United Kingdom government regard BNFL's contracts with the German utilities to be legally binding and we would expect them to be honoured.

Since 1976 all new contracts for reprocessing of overseas spent fuel have contained options for return of wastes. The government intend that such options should be exercised and that wastes arising from reprocessing be returned to the country of origin.

The construction of storage facilities for German spent nuclear fuel and nuclear waste in Germany is a matter for the German government.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will list those nations which have *(a)* already signed and *(b)* declared an intent to sign, legally binding contracts with British Nuclear Fuels to purchase MOX fuel. [70489]

Mr. Battle: Contracts and contracted terms between BNFL and its customers for the supply of goods and services are normally matters for the parties concerned. BNFL have already supplied MOX fuel to customers in Switzerland, Germany and Japan from its MOX Demonstration Facility at Sellafield.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what assessment his Department has made of the technical feasibility of returning spent nuclear fuel, nuclear waste and separated plutonium currently at Sellafield to Germany; and if he will make a statement on the technical studies undertaken. [70486]

Mr. Battle: The Secretary of State for Trade and Industry and I have made it clear in our recent meetings with members of the German government that all waste arising from reprocessing, and all unreprocessed German spent fuel at Sellafield will be returned.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what studies his Department has undertaken of the availability of containers to transport German spent nuclear fuel, German nuclear waste and German separated plutonium now at Sellafield; and if he will make a statement of the results of them. [70485]

Mr. Battle: My Department has not undertaken a study of the availability of containers to transport German spent nuclear fuel, German nuclear waste and German separated plutonium now at Sellafield. All flasks for the transport of spent nuclear fuel are required to conform fully with the safety and security recommendations of the International Atomic Energy Agency.

Genetically Modified Organisms

Mr. Flynn: To ask the Secretary of State for Trade and Industry for what reason the Government have decided to oppose attempts by *(a)* India and *(b)* other developing countries to ban the import of genetically modified organisms. [70997]

Mr. Meacher: I have been asked to reply.

The Government have no intention of blocking attempts by India or any other country to ban the import of genetically modified organisms. Negotiations are under way to develop an international instrument (the Biosafety Protocol to the convention on Biological Diversity) which will cover transboundary movement of living modified organisms. It has been the Government's position throughout these negotiations that the protocol should contain clear provision allowing countries to withhold agreement to the importing, into their country, of genetically modified organisms where they consider such a measure is necessary. This must be based on sound scientific grounds, assessing the risk to the environment or to human health of environmental release.

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts

Mr. Garnier: To ask the Minister of State, Lord Chancellor's Department if he will make a statement on his policy on the amalgamation of magistrates' courts committee areas. [70590]

Mr. Hoon: The Lord Chancellor and I have made it clear on a number of occasions that we see many benefits accruing from the greater alignment of magistrates' courts committees with criminal justice agency boundaries. I refer the hon. and learned Member to my statement to this House of 29 October 1997, *Official Report,* columns 901–05.

In particular, alignment will lead to an increased familiarity with each other's policies; improved co-ordination in the implementation of national and regional policies; improved relations between the chief officers of each agency; and the removal of duplication of effort and the speeding up of decision making at a strategic level. This is in addition to financial benefits which can be realised by the magistrates' courts committees concerned, all of which are likely to lead to a more effective, and more efficient, service.

Mr. Garnier: To ask the Minister of State, Lord Chancellor's Department what assessment he has made of the rate of case through-put in magistrates' courts in *(a)* urban and *(b)* rural areas. [70589]

Mr. Hoon: The data held on magistrates' courts are not available broken down by urban and rural areas. While an urban/rural breakdown is not available, magistrates' courts committees can alternatively be grouped into English metropolitan areas, English non-metropolitan areas, London and Wales.

The Lord Chancellor's Department magistrates' courts Management Information System collects information on magistrates' courts activity. One of the indicators produced by the Management Information System is the number of completed weighted cases per sitting hour.

In 1997, for magistrates' courts committees in English metropolitan areas the completed weighted caseload dealt with per sitting hour was 10.4, for those in English non-metropolitan areas and also those in the London area the figure was 9.9 per hour, and for those in Wales the figure was 10.4 per hour. For comparison, the completed weighted caseload dealt with per sitting hour in all magistrates' courts in England and Wales was 10.1 per hour.

Mr. Garnier: To ask the Minister of State, Lord Chancellor's Department what assessment he has made of the savings or additional costs to public funds caused by *(a)* the public, *(b)* lawyers, *(c)* the police, *(d)* witnesses, *(e)* defendants and *(f)* magistrates' through the closure of magistrates' courts. [70591]

Mr. Hoon: Magistrates' courts are locally managed by magistrates' courts committees under the provisions of the Justices of the Peace Act 1997. Decisions concerning the location and number of magistrates' courts in their area are for the relevant MCC to determine. A local authority that contributes financially may appeal to the Lord Chancellor against a proposed closure. In the event of an appeal, costs are only one factor to be considered. Other common themes are accessibility and facilities for all court users, workload, and the extra time and distance users may have to travel. In the absence of an appeal, however, the Lord Chancellor plays no part in the process.

Court Buildings

Mr. Garnier: To ask the Minister of State, Lord Chancellor's Department if he will list the new court buildings whose construction and refurbishment are being financed through the PFI; if, he will list in each case, the annual cost to his Department; and if he will estimate in each case the cost of the same works on a wholly publicly funded basis. [70592]

Mr. Hoon: No contracts have yet been let for new courthouses under the PFI. Schemes under procurement include:

(a) for the Court Service: Sheffield Family Court; Crown Court centres at Ipswich and Cambridge; and the Probate Records Centre; and

(b) for magistrates' courts (procured by local authorities): courts at Hereford and Worcester (Worcester, Hereford, Kidderminster and Redditch); Humberside (Hull, Beverley and Bridlington); Derbyshire (Derby, Chesterfield and New Mills); and Manchester.

As contracts are under negotiation it is not yet possible to provide details of annual charges, or estimates which will be used in assessing the value for money of bids.

Departmental Staff

Mr. Chaytor: To ask the Minister of State, Lord Chancellor's Department if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70474]

Mr. Hoon: The following table provides the required information on staffing numbers. The location of the Department's staff throughout England and Wales is detailed on a map, copies of which I have placed in the Libraries of both Houses.

Staffing figures for the Lord Chancellor's Department and its Agencies as at 12 February 1999

	Lord Chancellor's Department[1]	*Court Service*	*Public Trust Office*
London and South East England[2]	5,553	4,163	544
Wales	425	424	0
Scotland	2	2	0
Northern England	411	400	0
North-West England	1,228	1,210	0
Yorkshire and North Lincolnshire	860	859	0
East Midlands	594	594	0
West Midlands	783	781	0
East Anglia	242	242	0
South West England	580	580	0
Total	10,678	9,255	544

[1] Including HQ, Agencies and Associated Offices.

[2] The standard report on staffing numbers does not differentiate between staff in London and the South East and the provision of this breakdown would, therefore, have incurred a disproportionate cost. However, it should be noted that all of the Public Trust Office staff are located in central London.

Mr. Chaytor: To ask the Minister of State, Lord Chancellor's Department what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70460]

Mr. Hoon: None. This Department is already a national employer with staff located all over England and Wales, including many areas with higher levels of unemployment.

Ministerial Visits

Mr. Gray: To ask the Minister of State, Lord Chancellor's Department if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71335]

Mr. Hoon: Paragraph 79 of the Ministerial Code makes it clear that Ministers should inform hon. Members in advance of planned visits to their constituencies. Ministers in the Department undertake visits to all parts of the country, but records of official visits are not held on a constituency basis.

Staff Travel

Mr. Baker: To ask the Minister of State, Lord Chancellor's Department if he will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70958]

Mr. Hoon: The current staff mileage rates for the Lord Chancellor's Department, the Court Service and the Public Trust Office are:

	Standard rate of motor mileage allowance per mile	
	Up to 4,000 miles	*Over 4,000 miles*
Up to 1000cc	28p	17p
1001 to 1500cc	35p	20p
1501 to 2000cc	45p	25p
Over 2000cc	63p	36p

Public transport rate of motor mileage allowance: 25.5p per mile.

Cycle mileage allowance rate: 6.7p per mile.

The current staff mileage rates for HM Land Registry are:

	Standard rate of motor mileage allowance per mile	
	Up to 4,000 miles	*Over 4,000 miles*
All cc	40p	22.5p

Public transport rate of motor mileage allowance: 25.7p per mile

Cycle mileage allowance rate: 6.2p per mile

The current staff mileage rates for the Public Record Office are:

Standard rate of motor mileage allowance: 40 per mile

Public transport rate of motor mileage allowance: 23.8 per mile

Cycle mileage allowance rate: 6.2p per mile

The current passenger supplement rates per mile for the Lord Chancellor's Department and its executive agencies are:

First passenger: 2p

Further additional passenger(s): 1p per passenger

These rates are currently being reconsidered in the light of the Government's environmental policies, with a view to encouraging greater use of public transport.

The Government have set targets to have green transport plans in place for all headquarters buildings and main agency and government office buildings by March 1999, and for all other key buildings by March 2000. The aim of these plans will be to identify practical measures, tailored to the circumstances of individual sites, aimed at promoting greener travel.

SCOTLAND

Dr. Arpad Pusztai

Mr. Alan Simpson: To ask the Secretary of State for Scotland if the terms of Dr. Arpad Pusztai's retirement from the Rowett Institute preclude him from *(a)* discussing his recent research work and *(b)* pursuing similar research elsewhere. [70050]

Mr. Macdonald: The terms of Dr. Pusztai's employment required that disclosure of any information or data collected in the course of his employment required the approval of the Director of the Rowett Research Institute. The same restrictions apply after employment has ceased. The Institute is encouraging Dr. Pusztai to prepare his results for publication through the standard channels of peer reviewed scientific journals.

Dr. Pusztai is free to pursue similar research elsewhere.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Scotland which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69916]

Mr. Dewar: The information is as follows:

Executive NDPBs with a statutory base

Accounts Commission for Scotland
Crofters Commission
Deer Commission for Scotland
Highlands and Islands Enterprise
National Board for Nursing, Midwifery and Health Visiting for Scotland
National Galleries of Scotland
National Library of Scotland
National Museums of Scotland
Parole Board for Scotland
Royal Botanic Garden
Scottish Agricultural Wages Board
Scottish Children's Reporter Administration
Scottish Conveyancing and Executry Services Board
Scottish Council for Educational Technology
Scottish Enterprise
Scottish Environment Protection Agency
Scottish Further Education Funding Council
Scottish Higher Education Funding Council
Scottish Homes
Scottish Hospital Endowments Research trust
Scottish Legal Aid Board
Scottish Medical Practices Committee
Scottish Natural Heritage
Scottish Qualifications Authority
Scottish Tourist Board
Scottish Water and Sewerage Customers Council

Executive NDPBs subject to investigation by the Parliamentary Commissioner

Crofters Commission
Deer Commission for Scotland
Scottish Arts Council
Scottish Environment Protection Agency
Scottish Homes
Scottish Legal Aid Board
Scottish Medical Practices Committee
Scottish Natural Heritage
Scottish Sports Council
Scottish Tourist Board

In addition, the following executive NDPBs will shortly be brought within the jurisdiction of the Parliamentary Commissioner:

Accounts Commission for Scotland
National Galleries of Scotland
National Library of Scotland
National Museums of Scotland
Parole Board for Scotland
Royal Botanic Garden
Royal Commission on the Ancient and Historical Monuments of Scotland
Scottish Agricultural Wages Board
Scottish Children's Reporter Administration
Scottish Community Education Council
Scottish Council for Educational Technology
Scottish Further Education Funding Council
Scottish Further Education Unit
Scottish Higher Education Funding Council
Scottish Qualifications Authority
Scottish Screen
Scottish Water and Sewerage Customers Council

From 1 July 1999 this will be a matter for the Scottish Parliament.

Local Government Finance

Mr. Gorrie: To ask the Secretary of State for Scotland what totals at constant prices have been expended or are planned in the Comprehensive Spending Review for Scottish local authority revenue expenditure in the years from 1995–96 to 2001–02 for *(a)* education, *(b)* social work, *(c)* police, *(d)* fire, *(e)* housing, *(f)* environmental services and *(g)* recreation and leisure services. [69717]

Mr. McLeish: The table shows local authority outturn figures and estimates for 1995–96 to 1998–99 for current expenditure on the various services (excluding loan and leasing charges). Local authority plans for the period covered by the CSR are not known yet and the table shows Government estimates of Grant Aided Expenditure for these years; all figures are at constant prices.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Service expenditure: expended/planned 1995–96 to 2001–02

£ million

Service	*Final Outturn 1995–96*	*Provisional Outturn 1996–97*	*Provisional Outturn 1997–98*	*Budget Estimate 1998–99*	*GAE[1] 1999–2000*	*GAE[1] 2000–01*	*GAE[1] 2001–02*
Education	2,621	2,474	2,440	2,438	2,528	2,573	2,609
Social Work	1,112	1,102	1,105	1,108	1,074	1,089	1,096
Police	650	657	688	680	698	706	709
Fire	164	164	167	171	174	178	180
Leisure and Recreation	338	320	303	286	225	—[3]	—[3]
Environmental Services	64	58	53	53	56	—[3]	—[3]
Housing[2]	23.9	20.4	18.7	15.7	15.3	14.9	14.6

[1] GAE: Grant Aided Expenditure

[2] Housing: The figures above are final outturn figures up until 1998–99 which are estimates. The figures covering the final 3 years in the table show planned expenditure

[3] Not available

Edinburgh College of Art

Mr. Gorrie: To ask the Secretary of State for Scotland if he will delay a decision about possible major changes in the status of Edinburgh College of Art until the Scottish Parliament has time to consider it. [69738]

Mrs. Liddell: There is no submission at present before the Secretary of State seeking approval for a change in the status of Edinburgh College of Art.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Specialist Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland if he will make a statement on the future status of the Royal Scottish Academy of Music and Drama, the Glasgow School of Art and the Edinburgh College of Art. [69739]

Mrs. Liddell: The Secretary of State has not received any proposals for a change in the status of these institutions.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Teachers

Mr. Gorrie: To ask the Secretary of State for Scotland which councils have been unable to provide supply teachers to schools on occasions when they were needed to provide cover because of sickness or absence of teachers on in-service training in the *(a)* last and *(b)* current session. [69732]

Mrs. Liddell: The Scottish Office does not at present have the information requested. However, we are aware that some local authorities are having difficulty in maintaining adequate numbers of supply teachers to provide cover and will shortly be undertaking work to obtain information from authorities on the demand for and deployment of supply teachers. The Planning Group on Teacher Supply, which is chaired by the Scottish Office and includes representatives from the education authorities, teacher education institutions, General Teaching Council and the Scottish Higher Education Funding Council, will be considering how this information can best be taken into account in teacher work force planning.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Scotland if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69775]

Mr. Dewar: Where it is appropriate to do so, my Department publishes an assessment of responses received to public consultations. A recent example is contained in Annex D to the Report of the Consultative Steering Group (CSG) on the Scottish Parliament.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Roads Budget

Mr. David Marshall: To ask the Secretary of State for Scotland what is the increase in the Roads Department budget in Scotland in the current financial year over the previous financial year in *(a)* cash and *(b)* percentage terms. [70265]

Mr. Macdonald: The motorway and trunk road budget for the year from 1 April 1999 is £162.8 million (net), an increase of £10.1 million (6.6%) over this year.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Roads Review

Mr. David Marshall: To ask the Secretary of State for Scotland when he expects to publish the results of the Roads Review in Scotland; and if he will make a statement. [70266]

Mr. Macdonald: The consultation period on the Government's proposed framework for the appraisal of trunk road investment in Scotland ended on 16 October 1998. The responses have now been analysed and some useful suggestions from respondents incorporated into the appraisal framework. We are now considering the best way forward and the outcome of the review will be announced as soon as is practicable.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Chronic Fatigue Syndrome

Mr. Reed: To ask the Secretary of State for Scotland if he will list the specialist units which provide services to chronic fatigue syndrome/ME patients in Scotland. [70164]

Mr. Galbraith: The information requested is not available in the form requested. The detailed planning and provision of health services, including those for patients diagnosed with chronic syndrome or ME, is a matter for Health Boards and NHS Trusts.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Scottish Parliament Building

Mr. Salmond: To ask the Secretary of State for Scotland what is the projected capital cost for the Scottish Parliament Building of *(a)* furniture, *(b)* catering facilities, *(c)* exterior decoration and *(d)* interior decoration; what is the total estimated cost of the building; and how many (i) MSPs, (ii) Parliamentary staff and (iii) ancillary staff will be accommodated in the new building. [69102]

Mr. Dewar *[holding answer 8 February 1999]:* The budget for the construction of the new Parliament building at Holyrood continues to be estimated at £50 million excluding fees and VAT. The cost of interior and exterior decoration is included in this figure, as is the provision of catering facilities and kitchen accommodation. The cost of furniture cannot be calculated until the final designs are completed. The building will accommodate 129 MSPs and around 300 Parliamentary staff. The number of ancillary staff will depend on the terms of any contracts which are in place when the Parliament moves to Holyrood.

Mr. Gorrie: To ask the Secretary of State for Scotland what proposals have been put forward by *(a)* his Department and *(b)* the City of Edinburgh Council to cope with the additional traffic which will be generated by the new Scottish Parliament building and large developments nearby. [69712]

Mr. Dewar: The Scottish Office and the City of Edinburgh Council, together with LEEL, Historic Scotland and the Palace of Holyroodhouse, are currently considering traffic management issues in the Holyrood area. In the light of a study by Halcrow Fox Associates, possible options for roads in the area include closing the bottom of Holyrood Road and traffic calming Horse Wynd. A further study is presently under way which will help inform proposals relating to improving access to the area by means other than by car.

Nurses (Pay)

Mr. Gorrie: To ask the Secretary of State for Scotland what finance was provided for the increase of nurses' pay in Scotland in 1999–2000 in the Comprehensive Spending Review; and what the cost of the actual increase approved is estimated to be. [69715]

Mr. Galbraith: While no specific funds were provided for nurses' pay in the Comprehensive Spending Review, the outcome provided sufficient funds to meet the full costs of the nurses pay award. The cost of the actual increase approved for nurses' pay is estimated to be £49 million.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Vaccine Damage

Mr. Gorrie: To ask the Secretary of State for Scotland what powers the Scottish Parliament will have to amend the Vaccine Damage Payments Acts 1979. [69737]

Mr. Galbraith: The subject matter of the Vaccine Damage Payments Scheme is a reserved matter under the Scotland Act 1998. The scheme for payments under the Vaccine Damage Payments Act 1979 is being reviewed by the Department of Social Security, and when this is concluded consideration will be given to the appropriateness of devolving the legislation as it affects Scotland.

Criminal Justice (Terrorism and Conspiracy) Act 1998

Mr. Beith: To ask the Secretary of State for Scotland on how many occasions proceedings have taken place under section 7 of the Criminal Justice (Terrorism and Conspiracy) Act 1998; and if he will make a statement. [70304]

Mr. McLeish: There are currently no records in the centrally held database of court proceedings of any proceedings in Scottish courts under section 7 of the Criminal Justice (Terrorism and Conspiracy) Act 1998. Any such proceedings that do arise will be included in the annual statistics on court proceedings. The 1998 figures are expected to be published later on this year.

Healthcare Waste Disposal

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list designated sites in Scotland licensed for the landfill disposal of healthcare waste. [69206]

Mr. Macdonald: Information on sites in Scotland licensed for the landfill disposal of healthcare waste is not held centrally. Information about all waste management licences is available on public registers held by the Scottish Environment Protection Agency.

Mrs. Ewing: To ask the Secretary of State for Scotland what are the forecast costs to the Lanarkshire health trusts of the disposal of waste by category of disposal *(a)* in the current financial year and *(b)* in each of the projected financial years for which figures are available. [69209]

Mr. Galbraith *[holding answer 9 February 1999]:* In formulating their forecast costs, the Lanarkshire NHS Trusts have properly anticipated the increasing cost of compliance with more stringent EU legislation governing the disposal of clinical waste. However, the increases in operational efficiency through the use of new technologies should see these costs falling. The forecast costs to the Lanarkshire NHS Trusts are as follows:

	£000
1998–99	411
1999–2000	425
2000–09	434

per annum

Gaelic

Mrs. Ewing: To ask the Secretary of State for Scotland what assessment he has made of the progress of the European Language Initiative in compiling its Gaelic-English dictionary for the public sector; what organisations are involved in the process of compilation; to what extent the project will contribute to the development of Gaelic terminology for the Scottish Parliament; when he expects the project to be completed; and if he will make a statement. [69720]

Mr. Macdonald *[holding answer 10 February 1999]:* The Scottish Office gave a grant of £10,000 in March 1998 to The European Language Initiative for the initial phase of development work on their Gaelic-English dictionary. The initial phase is now complete. Funding for the rest of the project is currently being sought. The project will be carried out in co-operation with a number of Gaelic organisations. It will be for the Scottish Parliament itself to decide the place of Gaelic in the proceedings of the Parliament.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Student Support

Mr. Russell Brown: To ask the Secretary of State for Scotland if he will make a statement on changes in the student support and tuition fee arrangements for Scottish domiciled students in academic year 1999–2000. [71876]

Mrs. Liddell: I am today publishing the main rates of loans and grants which will be available to students in full-time higher education in 1999–2000; and the level of tuition fees. I am also publishing the rates for those postgraduate courses which do not attract student loans, together with the rates for the various supplementary grants payable to eligible undergraduate and vocational postgraduate students.

The total support available to undergraduate students in 1999–2000 will be 2.5 per cent. higher than in 1998–99, thus maintaining its value in real terms. Postgraduate maintenance grants and supplementary grants will also be increased by a similar amount.

These changes are consistent with those for England and Wales announced by my right hon. Friend the Secretary of State for Education and Employment. Details have been placed in the Library.

Student Nurses

Dr. Godman: To ask the Secretary of State for Scotland how many student nurses there are in *(a)* the Argyll and Clyde Board and *(b)* Scotland as a whole; and if he will make a statement. [69798]

Mr. Galbraith: As at 31 march 1998, there were a total of 7,059 student nurses training in Scotland. Of this number, 898 students receive their training at the University of Paisley.

The training of nurses is no longer directly linked to individual Health Board areas, but through contracts let by the Scottish Office with 7 providers in the tertiary education sector. The contract with the University of Paisley covers training formerly provided within the Argyll and Clyde and Ayrshire and Arran Health Boards.

The supply of and demand for nurses in Scotland are assessed annually, taking account of employers' expectations over a 5 year horizon. This year the intakes to nurse training courses will be increased in accordance with the findings of last year's assessment. A new assessment for 1999 is about to be launched.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Cataract Operations

Dr. Godman: To ask the Secretary of State for Scotland how many cataract operations were carried out in 1998 in *(a)* the Argyll and Clyde Health Board area and *(b)* Scotland as a whole. [69800]

Mr. Galbraith: Information on the number of cataract operations carried out in NHS hospitals in Scotland during 1998 is not yet available. Provisional figures for the period 1 January to 30 September 1998 show that the number of cataract operations performed in Scotland was 13,936, of which 1,179 were undertaken in the Argyll and Clyde Health Board area.

From 1 July 1999, this will be a matter for the Scottish Parliament.

After-school Care Clubs

Mr. Gorrie: To ask the Secretary of State for Scotland what plans he has to introduce arrangements to monitor the management of after school care clubs for secondary school pupils. [71361]

Mr. Galbraith: We intend to issue shortly a consultation paper on the regulation of child care (including after school care clubs) and of early education. From 1 July 1999, this will be a matter for the Scottish Parliament: it will be for Scottish Ministers to consider how best to take forward any administrative consequences in the light of consultation responses and for the Scottish Parliament to consider any legislative consequences.

CULTURE, MEDIA AND SPORT

English National Stadium Development Company

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the gender balance on the Board of the English National Stadium Development Company. [69350]

Mr. Banks: The current Members of the Board are all male. Members are not appointed by Government; nevertheless we are keen to promote the role of women at all levels within sport, and for the Football Association and the English National Stadium Trust to take this into account in considering future appointments.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport who appointed the Chairman and members of the Board of the English National Stadium Development Company; and on what dates. [69347]

Mr. Banks: The members of the Board of the English National Stadium Development Company are appointed by The Football Association (FA) and the English National Stadium Trust. The FA appoints seven members; the Trust appoints five members. The Chairman is elected by the Board members. Members were formally appointed on 12 January 1999 when the Development Company was constituted as an FA subsidiary.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what remuneration is paid to the members of the Board of the English National Stadium Development Company; and from what sources. [69348]

Mr. Banks: Members received no remuneration.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport which sports individual members of the Board of the English National Stadium Development Company represent. [69349]

Mr. Banks: Board Members do not represent individual sports. Their primary responsibility is to the English National Stadium Development Company, in accordance with their duties as Director of the Company. The FA nominations have a football background and interest. The Trust nominations have a variety of interests, including in golf, tennis, rugby league and football.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the auditing arrangements for the expenditure of the Board of the English National Stadium Development Company. [69351]

Mr. Banks: The English National Stadium Development Company is currently appointing professional auditors. In addition, the conditions of Lottery grant include provisions for independent monitoring by consultants appointed by the English Sports Council, a requirement for the Development Company to provide full details of the way it spends its money, the right for the English Sports Council to audit the Development Company at any time and the right for the National Audit Office to review Development Company accounts and records.

World Athletics Championship (2003)

Mr. Gareth R. Thomas: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 25 January 1999, *Official Report*, column *64*, if he will list the organisations which make up the London 2003 Consortium. [70154]

Mr. Banks: The 2003 Bid Consortium is a committee of individuals set up under the auspices of UK Athletics. The Consortium is chaired by Len Hatton, Chair of Sport Z, and its membership comprises Bill Glad, ex-international athlete, ex-IAAF Executive Officer; Adrian Metcalfe, ex-international athlete, Chair of API Television, UK Sports Council Member; and John Boulter, ex-international athlete. David Moorcroft, Chief Executive Officer of UK Athletics is also closely involved.

Musicworks

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the future of Musicworks. [69633]

Mr. Chris Smith *[holding answer 8 February 1999]*: While this is primarily a matter for the London Arts Board and Musicworks other core funders, I am aware that Musicworks has experienced a range of difficulties, including the accumulation of debt, which have resulted in the closure of the project. I understand also that the potential for another arts organisation with similar charitable objectives to acquire Musicworks facilities continues to be explored, with the intention of securing the building, and donor investment in its refurbishment, to the benefit of the local community.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69975]

Mr. Chris Smith: The following table gives the information required:

NDPD	*Admit the public to all meetings*	*Hold public meetings*	*Have lay or consumer board members*[1]	*Operate a form of appeal or complaints procedure*	*Statutory requirements*
Arts Council of England	No	Yes	No	Yes	No
British Library	No	No	Yes	Yes	No
British Museum	No	No	Yes	Yes	No
British Film Institute	No	Yes	Yes	Yes	No
British Tourist Authority	No	No	No	Yes	No
Broadcasting Standards Commission	No	Yes	Yes	Yes	No
Crafts Council	No	Yes	No	Yes	No
English Heritage	No	No	Yes	Yes	No
English Sports Council	No	Yes	No	Yes	No
English Tourist Board	No	Yes	No	Yes	No
Football Licensing Authority	No	No	No	Yes	No
Geffrye Museum	No	No	Yes	No	No
Historic Royal Palaces	No	No	Yes	Yes	No
Horniman Museum	No	Yes	No	Yes	No
Imperial War Museum	No	Yes	Yes	Yes	No
Library and Information Commission	No	No	Yes	Yes	No
Millennium Commission	No	No	No	Yes	No
National Film and Television School	No	No	No	No	No
National Lottery Charity Board	No	Yes	Yes	Yes	No
New Millennium Experience Co. Ltd.	No	Yes	No	Yes	Yes
Museum of London	No	No	Yes	Yes	No
Museum of Science and Industry in Manchester	No	Yes	Yes	Yes	No
Museums and Galleries Commission	No	No	Yes	Yes	No
National Gallery	No	Yes	Yes	Yes	No
National Heritage Memorial Fund	No	Yes	No	Yes	No
National Maritime Museum	No	No	No	Yes	No
National Museums and Galleries on Merseyside	No	No	No	Yes	No
National Museum of Science and Industry	No	Yes	Yes	Yes	No
National Portrait Gallery	No	No	No	Yes	No
Natural History Museum	No	No	No	Yes	No
NESTA	No	No	No	No	No
NOF	No	Yes	No	Yes	No
Public Lending Right	No	No	Yes	Yes	No
Royal Armouries	No	No	No	No	No
Royal Commission on Historical Manuscripts	No	No	Yes	Yes	No
Royal Commission on Historical Monuments (England)	No	No	No	Yes	No
Sir John Soane's Museum	No	No	Yes	Yes	No
Tate Gallery	No	No	Yes	Yes	No
UK Sports Council	No	No	No	No	No
Victoria and Albert Museum	No	No	No	Yes	No
Wallace Collection	No	Yes	Yes	Yes	No

Notes:

[1] The British Museum say that all their Board Members are visitors and users. Those Trustees that sit on the External Relations and Public Services Committee have particular responsibility for consumer interests including disability issues.

[2] The Imperial War Museum say that none of its Board is a museum professional: all are "lay" and may ask questions as consumers.

[3] The NMGM have agreed in principle to hold one open meeting a year beginning in 1999.

[4] The National Portrait Gallery do not allow non-Trustees to attend Board meetings.

[5] English Heritage advise that one Commissioner has been a recipient of a grant and can be described as a "consumer". As not all Commissioners are experts in the fields they represent they can be described as lay members.

[6] The Museum of London say that its Board is made up of people from a wide number of backgrounds who include people with lay or consumer representation.

[7] The National Museum of Science and Industry say that the Board is composed of individuals appointed by Government selected from those with interests and expertise which will assist and advise the Museum both with regard to visitors and care of the collections. These unpaid individuals provide a wide range of scientific, visitor, management and educational experience.

[8] The English Tourist Board holds three public meetings with Regional Tourist Boards annually which are also open to the industry and public.

[9] Members of the public who are complainants on fairness in broadcasting are invited to attend Commission hearings in which their complaint is being considered. However, meetings of Commission members are not usually open to the general public.

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement. [69965]

Mr. Chris Smith: The following table gives the information required:

NDPB	*Admit the public to meetings*	*Hold public meetings*	*Lay or consumer board members*	*Statutory requirement*
Advisory Committee for the Public Lending Right	No	No	Yes	No
Advisory Committee on Historic Wreck Sites	No	No	No	No
Advisory Committee on the Government Art Collection	No	No	No	No
Advisory Council on Libraries	No	No	No	No
Reviewing Committee on the Export of Works of Art	No[3]	No	Yes[4]	No
Royal Fine Art Commission	No	No	No	No
Theatres Trust	No	Yes	Yes	No
Treasure Valuation Committee	No	No	Yes	No
Football Taskforce	No	Yes	Yes	No

[1] The ACHWS holds annual meeting with licensees of designated wreck sites.

[2] The ACHWS' membership is balanced to reflect the wider range of interests involved in the area of underwater archaeology, including sport divers.

[3] An annual meeting of the Advisory Council on the Export of Works of Art is held, at which all interested bodies are represented (public institutions and the trade).

[4] The Committee includes representatives with consumer expertise.

Sports Venues (Disabled Access)

Mr. Efford: To ask the Secretary of State for Culture, Media and Sport what representations he has made to the Football Trust requesting additional resources to be made available to football clubs to make provision for disabled people; and if he will make a statement. [70223]

Mr. Banks: I welcomed the Football Task Force's report on Improving Facilities for Disabled Supporters, and wrote to the Football Trust about the recommendations in the report relating to improving access to football grounds for disabled people.

At the Trust's meeting of 25 January, the Trustees agreed to amend Trust grant aid policy to include further specific requirements for clubs to provide access and facilities for disabled people, as recommended in the Task Force report. I welcome this development.

Mr. Efford: To ask the Secretary of State for Culture, Media and Sport what plans he has to make provision for *(a)* increasing the capacity of sports venues in order to increase their ability to accommodate disabled people and *(b)* improving parking and other transport facilities for disabled people at sports grounds; and if he will make a statement. [70222]

Mr. Banks: Disabled people's access to services—including sports venues—will be improved by implementation of the later rights in Part III of the Disability Discrimination Act 1995. The first stage will come into force from October when service providers will have to take reasonable steps to change any practice, policy or procedure which makes it impossible or unreasonably difficult for disabled people to use a service; provide an auxiliary aid or service which would enable disabled people to use a service; and overcome physical barriers which make it impossible or unreasonably difficult for disabled people to use a service by providing the service by a reasonable alternative method. From 2004, service providers will also have to consider tackling physical barriers by taking reasonable steps to remove them; alter them, or provide a reasonable means of avoiding them.

In addition, I have taken steps to implement the practical recommendations made in the Football Task Force's Report on Improving Facilities for Disabled Supporters, published last July, which fall to Government. These relate to amending the Approved document (AD) for Part M of the Building Regulations to require all new stadia, new stands and extensions to existing facilities to provide wheelchair spaces in accordance with the Guide to Safety at Sports Grounds; to drawing up a sliding scale for the numbers of designated seats for people who are ambulant disabled or visually/hearing impaired within new stands and stadia, and amending Part M accordingly; and to extending the future role of the Football Trust to improve disabled facilities at grounds.

Any changes to the Building Regulations require statutory consultation and will be based on the advice of the Building Regulations Advisory Committee. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions intends to use the comprehensive review of British Standard BS 5810 Code of Practice for access for the disabled to buildings and its supporting research, once it has been completed, as a basis for developing proposals through the Building Regulations Advisory Committee to revise the AD for Part M. In the interim, the Department of the Environment, Transport and the Regions has taken the immediate step of including references to the Guide to Safety at Sports Grounds in the current revision to the AD to extend Part M to new housing. This will draw the guidance to the attention of interested parties. The review of BS 5810 includes access for the ambulant disabled and when the Green Guide is next updated the standard will be taken on board.

I fully support all the practical recommendations made in the Task Force's report. These include proposals concerning seating arrangement, parking and access at football grounds. In November, I wrote to the bodies identified in the report as having a role to play in implementing the recommendations. I have been encouraged by the positive responses I have received.

The Task Force's recommendations provide an excellent assessment of what has been achieved in the provision of facilities for disabled supporters at football grounds, and where improvement can still be made. They are equally applicable to other sports stadia and I commend them to all those involved in sports stadia management in this country.

Local Government Finance

Ms Buck: To ask the Secretary of State for Culture, Media and Sport if he will list the *(a)* grants and *(b)* other financial support to (i) Westminster City Council and (ii) the Royal Borough of Kensington and Chelsea, other than through the RSG settlement in (1) 1997–98, (2) 1998–99 and (3) planned for 1999–2000 given by his Department; and for what purposes the funds were allocated. [70156]

Mr. Chris Smith: My Department has not provided, and I have no plans to make, any direct grants or financial support to Westminster City Council or the Royal Borough of Kensington and Chelsea.

Civil Service Pay Awards

Dr. David Clark: To ask the Secretary of State for Culture, Media and Sport what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69520]

Mr. Chris Smith *[holding answer 9 February 1999]:* The average percentage increases in salaries of non industrial civil servants, excluding members of the senior civil service, for 1998–99 was 4 per cent. within the Department for Culture, Media and Sport and approximately 3.7 per cent. within the Royal Parks Agency.

The pay awards were not staged.

Tobacco Sponsorship

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what efforts he is making to assist arts organisations affected by the proposed ban on tobacco sponsorship to find replacement funding. [70351]

Mr. Chris Smith *[holding answer 10 February 1999]:* Through negotiation, the Government have ensured that the EC Tobacco Advertising Directive provides a reasonable time for arts and sports organisations to adapt to its provisions. The Government's White Paper "Smoking Kills", published last December, was accompanied by a consultation document which invites comments on the possible impact of legislation. The Association for Business Sponsorship of the Arts has been invited to make representations on behalf of its members, and arts organisations may also do so on an individual basis.

Views expressed in the consultation exercise, which ends on 28 February, will inform decisions taken on the extent to which specific assistance should be offered to arts organisations.

Millennium Contingency Measures

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what contingency measures his Department is planning for the first week of 2000 to meet any technical problems caused by the millennium bug in terms of *(a)* specialist advice and *(b)* staff overtime. [70593]

Mr. Chris Smith: My Department is in the process of preparing a contingency plan for the millennium bug problem. However, no decision has yet been made on the need for specialist advice or the level, if any, of staff overtime, for the first week.

St. Dunstan's

Mr. Sayeed: To ask the Secretary of State for Culture, Media and Sport if the Government will provide funding for St. Dunstan's charity for blind ex-servicemen and women. [70537]

Mr. Doug Henderson: I have been asked to reply.

I refer the hon. Member to the answer I gave to the hon. Member for West Dorset, (Mr. Letwin) on 9 November 1998, *Official Report*, columns 77–78.

NORTHERN IRELAND

Paramilitary Organisations (Assaults)

Mr. Robathan: To ask the Secretary of State for Northern Ireland what advice she has received from the Chief Constable of the RUC on *(a)* UVF, *(b)* IRA and *(c)* UDA involvement in serious assaults carried out since 1 May 1998. [63168]

Mr. Ingram: In the period 1 May 1998 to 31 January 1999 there have been 74 Loyalist and 52 Republican assaults. The Chief Constable of the RUC is on record as stating that he has no doubt that members of all these paramilitary organisations have been involved in attacks. We do not, however, have records attributing attacks to individual organisations.

Note:

Figures are subject to minor adjustment (due to further information coming to light) and refer to "assaults" as distinct from "shootings".

Andrew Kearney

Mr. Robathan: To ask the Secretary of State for Northern Ireland if the RUC has evidence to indicate IRA involvement in the killing of Andrew Kearney in Belfast in July 1998. [63167]

Mr. Ingram: There is no firm evidence to indicate the involvement of a specific group with the killing of Andrew Kearney.

Intimidation

Mr. Robathan: To ask the Secretary of State for Northern Ireland how many people have been forced by intimidation to leave their homes in Northern Ireland since 1 May 1998; and if she will make a statement. [63172]

Mr. Ingram: The Northern Ireland Housing Executive holds responsibility for housing those people who claim to be homeless as a result of intimidation, and assesses entitlement to housing under the homelessness legislation. Its Chief Executive has advised me that, from 1 May 1998 to 31 December 1998, a total of 1,358 applicants have been awarded A1 (I) priority status by the Housing Executive as a result of intimidation.

Prisoner Releases

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many prisoners applied to the Prison Sentence Review Commission for an accelerated release date by 31 December 1998; in how many cases the Commission made a determination; and for unsuccessful applications, what reasons were given. [69617]

Mr. Ingram: Statutory responsibility for these matters lies with the Sentence Review Commissioners. I have asked the joint Chairmen, Sir John Blelloch and Mr. Brian Currin, to arrange for a reply to be given.

Letter from Sir John Blelloch to Mr. Kevin McNamara, dated 11 February 1999:

You recently asked the Secretary of State for Northern Ireland for information concerning applications made under the Northern Ireland (Sentences) Act 1998. In her answer the Secretary of State advised that, as statutory responsibility for this matter lay with the Sentence Review Commissioners, I would reply.

I can advise that, up until 31 December 1998, 544 prisoners have applied to the Sentence Review Commissioners for a declaration that they are eligible for release in accordance with the provisions of the Northern Ireland (Sentences) Act 1998. Of these, 372 prisoners have received substantive determinations advising that their applications had been successful. There have been no substantive determinations advising that the applicant had been unsuccessful.

A copy of this letter will be placed in the library of the House of Commons.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will *(a)* list the profile of the politically motivated prison population in Northern Ireland by location, status and perceived affiliation and *(b)* estimate the number of prisoner releases for each perceived affiliation projected for each quarter up to 30 September 2000. [69618]

Mr. Ingram: Table A shows the perceived paramilitary affiliations of prisoners at HMP Maze.

Table A

	Number
Loyalists	
UVF	47
LVF	16
UDA	53
Total	116
Republican	
PIRA	77
INLA	26
Total	103

Information is held in relation to the perceived paramilitary association of prisoners, where applicable, for management purposes. With the exception of HMP Maze where links are more clearly defined, this information is based on a combination of factors including the offence, sympathies and associates. No information is held on the political affiliations of any prisoner.

Table B shows a total of 79 prisoners whose cases have been deemed to meet the requirements of the Northern Ireland (Sentences) Act 1998 by the Sentence Review Commission and who have been given Substantive Determinations with release dates up to end September 2000. It includes only those prisoners whose perceived affiliation is to organisations which have not been specified under Section 3 of the 1998 Act. This is drawn from information received by the Secretary of State as at 5 February 1999 from the Sentence Review Commissioners, to whom prisoners apply for early release. The 1998 Act also provides that, if circumstances permit, prisoners with release dates falling after the second anniversary of the coming into force of that Act (on 28 July 1998) who have served two years or more in prison will be released on that anniversary. Those prisoners are not shown in Table B.

Table B

	1999 Quarter				*2000 Quarter*			
	1	*2*	*3*	*4*	*1*	*2*	*3*	*Total*
Loyalist	0	0	1	0	0	0	0	1
LVF	0	1	1	0	2	0	0	4
PIRA	4	8	2	9	7	1	6	37
Rep Sym	0	1	0	0	0	0	0	1
Republican	1	0	0	0	0	0	0	1
RHC	0	1	0	0	0	0	0	1
UDA	3	4	7	2	1	2	0	19
UFF	0	0	2	0	1	0	0	3
UVF	1	4	1	3	0	3	0	12
Grant Total	9	19	14	14	11	6	6	79

Mr. William Ross: To ask the Secretary of State for Northern Ireland, how many persons given early release from prison under the Belfast Agreement have been charged with an offence since their release. [68867]

Mr. Ingram *[pursuant to his reply, 2 February 1999, c. 556]:* One person released under the Northern Ireland (Sentences) Act 1998 was charged with an offence on 2 February 1999.

Police Complaints

Mr. McNamara: To ask the Secretary of State for Northern Ireland what estimate she has made of the number of investigations which will be conducted by the office of the Police Complaints Ombudsman over its first three years of operation. [69606]

Mr. Ingram: A working group which comprises my officials and representatives of the Independent Commission for Police Complaints, Royal Ulster Constabulary, Police Authority of Northern Ireland and police representatives is currently considering a wide range of issues including this one.

In examining the number of cases the working group will take into consideration factors such as current complaint rates, the impact of the preliminary investigation in sifting cases out at an earlier stage, the relaxation of the restriction on resolving complaints by informal resolution and the extent to which the Police Ombudsman should refer cases to the RUC to investigate. The working group will also have to consider to what extent enhanced public confidence in the new system will encourage more complaints. The Ombudsman designate, when appointed, will also be asked for his or her views.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the main stages in an investigation conducted by the Independent Commission for Police Complaints; what is the average time taken to complete each stage; and how many complaints have been processed and completed over each of the last three years. [69604]

Mr. Ingram: The Independent Commission for Police Complaints does not conduct investigations of complaints; rather, its role is to provide oversight of police investigations, as set out in the Police (Northern Ireland) Order 1987.

During 1996, the Commission processed and completed two thousand six hundred and ninety nine (2,699) complaint cases. The figures for 1997 and 1998 were two thousand three hundred and thirty five (2,335) and two thousand three hundred and eighty three (2,383) complaint cases respectively.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will provide a breakdown of the forecast of the annual budget of the office of the Police Complaints Ombudsman; and how many staff will be employed at what salary grades for the first three years of its operation. [69605]

Mr. Ingram: The Government's initial estimate produced for the purpose of advertising the post of Police Ombudsman is a staff of about 60 and a budget of around £3 million. There are a number of variables which affect both the budget and staffing which are still to be settled. These are being considered in working groups which include my officials and representatives of the RUC and the Independent Commission for Police Complaints. In addition, we will be consulting the Police Ombudsman when appointed.

Until this work has been completed I will not be able to produce a budget forecast or more precise details on staffing.

The Government are, however, committed to making the necessary resources available for the office of Police Ombudsman.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the main stages in an investigation conducted by the Complaints and Discipline Department of the Royal Ulster Constabulary; what is the average time taken to complete each stage; and how many complaints were processed and completed in each of the last three years. [69622]

Mr. Ingram: Appendix II of the 1997 Annual Report of the Independent Commission for Police Complaints, copies of which were laid before the House, contains a detailed chart showing the main stages in an investigation (HMSO, ISBN 0–10–250698–1).

The number of complaints cleared in each of the last three years is:

Year	*Number*
1996	4,835
1997	5,433
1998	5,127

Complaints relating to the same incident can be made by a number of complainants, or complainants may make a number of complaints. These are all recorded as separate complaints.

The 1998 figure is provisional.

Average timescales for stages of investigation of complaints are not kept as the time taken very much depends on individual cases. The information could be obtained only at disproportionate cost. The time is dependent on a number of factors, such as the complexity of the case, the number of witnesses and police involved. Also, if there are related criminal proceedings against the complainant, the investigation cannot be regarded as complete until such charges are disposed of at court and disciplinary aspects then considered and, if appropriate, dealt with. The following table gives such information as is available and indicates the length of time taken for the 5,127 complaints cleared in 1998:

Time	*Number*	*Percentage*
0–3 months	1,662	32
3–6 months	1,048	20
6–12 months	1,278	25
12–24 months	965	19
24–36 months	135	3
over 36 months	39	1
Total	5,127	

The issue of timescales is something raised by Dr. Hayes in his report (HMSO ISBN 0-337-03077-4) and is being considered by the working groups dealing with the implementation of the new Police Ombudsman for Northern Ireland.

HMP Maze

Mr. McNamara: To ask the Secretary of State for Northern Ireland what response the Northern Ireland Prison Service made to Her Majesty's Inspector of Prisons report on HMP Maze; and if she will place a copy of the response in the Library. [69621]

Mr. Ingram: Her Majesty's Inspector of Prisons Report on HMP Maze has been fully considered, and those recommendations whose implementation were appropriate in the changed circumstances, have now been implemented, or are in the process of implementation.

Both I and the Director General of the Northern Ireland Prison Service responded publicly in statements to the press, copies of which have been placed in the Library.

Press Releases

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many press releases were issued by the Northern Ireland Police Authority between 10 February 1998 and 31 December 1998; and how many of these notices were posted on the Police Authority Internet web site. [69619]

Mr. Ingram: The Police Authority has issued 45 press releases between 10 February 1998 and 31 December 1998. None of these releases has been placed on the Police Authority's Internet web site.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many press releases were issued by the Northern Ireland Prison Service between 31 May 1997 to 31 December 1998; and how many of these notices were posted on the Prison Service internet web site. [69620]

Mr. Ingram: 26 press releases on prisons matters were issued between 31 May 1997 and 31 December 1998. All were posted on the Prison Service website which is accessed through nio.gov.uk.

Terrorist Suspects (Arrest Warrants)

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many warrants for the arrest of terrorist suspects issued by the RUC have been outstanding *(a)* for more than 10 years, *(b)* for five to 10 years, *(c)* for one to five years and *(d)* since 10 April 1998. [69880]

Mr. Ingram *[holding answer 8 February 1999]:* The information requested is not maintained in a manner which permits its retrieval without incurring disproportionate cost.

Drumcree

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many Orange parades, marches or disturbances have occurred in the vicinity of Drumcree in each month since June 1998; how many of these were legal parades; how many deaths or injuries can be associated with these disturbances; what was the additional financial cost of policing during the six months from July to December 1998; how many properties and vehicles have been damaged in the area; how many arrests have been made; in how many cases charges have been brought; and how many convictions have been secured. [69882]

Mr. Ingram *[holding answer 8 February 1999]:* There have been 75 Orange Order parades or marches since June 1998. Of these, 38 were legal. The table shows the breakdown by month:

	Number
1998	
July	18
August	33
September	6
October	4
November	6
December	6
1999	
January	2
Total	75

It is not possible to assess the total number of injuries accurately. However, 72 police officers have been injured, including 1 fatality, Constable O'Reilly. 47 criminal injury claims have been submitted, including 2 by military personnel.During the period July to December 1998, the additional costs incurred in respect of the police presence have been approximately £0.4m per month.

There have been 27 recorded incidents of damage to property and 11 to vehicles.

There have been 132 arrests, 58 people charged and 33 convicted. 80 prosecutions are pending, including 28 being reported for illegal marches.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Northern Ireland if she will list the expenditure incurred by her Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if she will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70967]

Mr. Paul Murphy: The information is as follows.

(a) Expenditure incurred setting up the NICS Web Service.

The initial set up costs for the current NICS Web Service amounted to £8,500 capital expenditure in 1997. Staff costs associated with the set up are not available.

(b) Expenditure incurred in the operation of the web site.

The expenditure incurred in 1998-99 will be £226,700 broken down as follows:

Maintenance £7,300;
Connection to the Internet Service Provider (ISP) £26,900;
Ongoing development £137,500; and
Capital £55,000.

(i) The topics covered by the NICS Web service are as follows:

Schedule of organisations/topics hosted by NICS Web Service

Agri-Food Development Service
The New Northern Ireland Assembly
Business Development Service (BDS)
Central Adjudication Services (CAS)
Child Support Agency (CSA)
Community Information Network Northern Ireland (CINNI)
Construction Service
Citizen's Charter for Northern Ireland
Northern Ireland Council for the Curriculum, Examinations and Assessment
Northern Ireland Economic Council
CREST
DANI—Department of Agriculture for Northern Ireland
DED—Department of Economic Development
DENI—Department of Education for Northern Ireland
DFP—Department of Finance and Personnel
DHSS—Department of Health and Social Services
DOE—Department of the Environment
DOE—Central Statistics and Research Branch
Directory of Business Information for Northern Ireland
Driver and Vehicle Licensing Northern Ireland (DVLNI)
Driver and Vehicle Testing Agency (DVTA)
Environment and Heritage Service
Economic Council, Northern Ireland
European Division—Department of Finance and Personnel
Economics Division—Department of Finance and Personnel
Fair Employment Commission for Northern Ireland
Forensic Science Unit of Northern Ireland
Northern Ireland Forum for Political Dialogue
General Consumer Council for Northern Ireland
Glens of Antrim Rural Community Development Association
Government DIRECT—for business Northern Ireland
Government Purchasing Agency
Greenmount College of Agriculture and Horticulture
Health and Personal Social Services (HPSS)
Health and Safety Division
Housing Executive
Industrial Development Board for Northern Ireland (IDB)
Industrial and Research Technology Unit (IRTU)
Information Systems (IS) Services
Innovation Relay Centre for Northern Ireland
Land Registers of Northern Ireland
Local Enterprise Development Unit (LEDU)
Local Government Audit Office—Local Authority Performance Indicators
Local Government Staff Commission for Northern Ireland
(Northern Ireland) Millennium Company
North Antrim Community Network
Northern Ireland Statistics & Research Agency (NISRA)
Northern Ireland Housing Executive
Northern Ireland Court Service
Northern Ireland Office (NIO)
Northern Ireland Railways (NIR)
NICVA—Northern Ireland Council for Voluntary Action
NICO—N.I. Public Sector Enterprises
NIEC—Northern Ireland Economic Council
Office For The Regulation of Electricity and Gas (OFREG)
Ordnance Survey of Northern Ireland
The Northern Ireland Ombudsman
Peatland Park, DOE Environment Service
Police Authority for Northern Ireland (PANI)
Police Insignia Collectors Association (PICA)
Planning Service
Probation Board for Northern Ireland
Public Record Office of Northern Ireland (PRONI)
Public Sector Enterprises (NICO)
Rate Collection Agency (RCA)
Regional Information Branch
Roads Service
Royal Ulster Constabulary (RUC)
Social Security Agency (SSA)
Sports Council for Northern Ireland
Springvale Training
Statistics for the Northern Ireland Public Service Web
Strabane District Council
The New Northern Ireland Assembly
Telecommunications Branch—BDS
Trading Standards
Training and Employment Agency (TEA)
Training Services
Northern Ireland Tourist Board
Urban Traffic Control Centre
Valuation and Lands Agency (VLA)
Water Service
Training and Employment Agency "What Next?"

(ii) The current average number of hits per month for all NICS sites is 1.72 million.

(iii) The estimated expenditure on the NICS web service for the next 3 years is as follows:

Year	£
2000	247,000
2001	247,000
2002	247,000

Individual Departmental/NDPB expenditure is not available.

Bloody Sunday Inquiry

Dr. Godman: To ask the Secretary of State for Northern Ireland what representations she has received concerning the working practices of the Bloody Sunday Inquiry; and if she will make a statement. [69796]

Marjorie Mowlam: I have received some letters about the Inquiry in general which have raised issues of concern by members of the public. However, as the Inquiry is independent, its working practices are a matter for it to decide for itself; therefore, it would not be appropriate for the Government to comment.

DEFENCE

Young Recruits

Mr. Stinchcombe: To ask the Secretary of State for Defence what assessment he has made of the compliance of the practice of recruiting men and women aged under 18 years to the armed forces with the United Kingdom's responsibilities under the UN Convention on the Rights of the Child. [67215]

Mr. Doug Henderson: The UK is playing a full and active role in negotiations to agree an Optional Protocol to the UNCRC, which seeks to raise the minimum age of recruitment and for participation in hostilities. We consider that our current recruitment and deployment policies are in line with the principles that are being sought internationally.

Legal Services

Mr. Ruffley: To ask the Secretary of State for Defence if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70028]

Mr. Doug Henderson *[holding answer 8 February 1999]:* My Department does not hold its records in a way that makes retrieval of this information in the format requested possible without incurring disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the government in its important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the rest of the Government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

Armed Forces (Combat)

Mr. Hancock: To ask the Secretary of State for Defence how many individuals under the age of 18 years in the British Armed Forces have been in combat in the past five years. [69755]

Mr. Doug Henderson: This information is not held centrally and could be provided only at disproportionate cost.

Sir Charles Masefield

Ann Clwyd: To ask the Secretary of State for Defence what restrictions were placed by his Department on the former Head of Defence Export Services, Sir Charles Masefield, in respect of his subsequent professional involvement in defence-related industries. [70601]

Mr. Doug Henderson: Sir Charles Masefield's appointment with GEC was approved without restriction, under the Government's Business Appointment Rules. He continues to be bound by these rules for two years from his last day in Crown service.

Defence Systems and Equipment International Exhibition

Mr. Flynn: To ask the Secretary of State for Defence on which days the Defence Systems and Equipment International Exhibition will be open to *(a)* overseas customers, *(b)* the Press and *(c)* the public. [70386]

Mr. Doug Henderson: I understand from the organisers that they are planning a press afternoon on 13 September 1999. The exhibition will be open to overseas customers and the press from 14 September, when it formally opens, until its closing date on 17 September 1999. The exhibition will not be open to the public.

Mr. Flynn: To ask the Secretary of State for Defence if he will list the countries from which buyers will be invited to the Defence Systems and Equipment International Exhibition being held in Chertsey and London Docklands from 14 to 17 September. [70385]

Mr. Doug Henderson: We are still considering the list of countries to be invited. We expect to invite delegations from about 50 countries.

Mr. Flynn: To ask the Secretary of State for Defence if hon. Members will be invited to attend the forthcoming Defence Systems and Equipment International Exhibition. [70390]

Mr. Doug Henderson: Other than official invitations to foreign delegations, the issue of invitations is a matter for the exhibition organisers, Spearhead Exhibitions Ltd. However, MOD officials intend to discuss with them plans for inviting hon. Members to the exhibition.

Mr. Flynn: To ask the Secretary of State for Defence who will be opening the Defence Systems and Equipment International Exhibition. [70389]

Mr. Doug Henderson: On current plans, my right hon. Friend the Secretary of State for Defence will open the exhibition.

Mr. Flynn: To ask the Secretary of State for Defence how many visitors are expected at the Defence Systems and Equipment International Exhibition. [70388]

Mr. Doug Henderson: The Defence Systems and Equipment Exhibition is the first in a new series of international exhibitions to be run in the UK. It will be organised by a private company, Spearhead Exhibitions Ltd. Spearhead estimate attendance at this year's exhibition will be in the order of 20,000 visitors.

Mr. Flynn: To ask the Secretary of State for Defence which ships from *(a)* the Royal Navy and *(b)* overseas navies will be participating in the Defence Systems and Equipment International Exhibition. [70391]

Mr. Doug Henderson: Subject to operational constraints, we hope to have two Royal Navy ships, a Type 23 Frigate and a Sandown Class Mine Countermeasures Vessel, at the exhibition. I understand that the exhibition organisers have extended invitations to a number of navies around the world to send vessels.

Departmental Cash and Running Costs Limits

Ms Squire: To ask the Secretary of State for Defence if he will make a statement on changes to Class I cash limits and the defence operating costs limit for 1998–99. [71326]

Mr. George Robertson: The Government have decided that, subject to Parliamentary approval of the Spring Supplementary Estimates, an addition of £310,104,000 should be made to the Defence budget in the current year. This will cover increased costs in 1998–99 due to slippage out of 1997–98 and costs of unprogrammed overseas operations, including those in the Former Yugoslavia, including the United Kingdom's contribution to the OSCE-led Verification Mission in Kosovo (KVM), the supporting KVM Extraction Force based in Macedonia, and on-going air operations over Iraq, including the United Kingdom's contribution to Operation Desert Fox. The figure includes full take up of the Ministry of Defence's entitlement to End Year Flexibility of £225,104,000 in respect of the Defence budget underspend in 1997–98. This figure is £56,617,000 lower than the figure announced by the Chief Secretary on 14 July 1998, *Official Report*, columns *132–36*, under the Operating Costs and Capital equipment schemes which had been assessed on the provisional outturn for the Defence budget at the time. In the event, the final outturn for 1997–98 was higher than forecast.

The Supplementary Estimate will also provide for changes in the general pattern of expenditure, including adjustments between the PE equipment and Defence Operating Costs programmes; for the transfer of provision to the Home Office and the Foreign and Commonwealth Office in respect of MOD's contribution to jointly funded programmes; and the withdrawal of net accounting arrangements for the recovery of VAT on Contracted Out services.

Because of the adjustment between the equipment and operating costs programmes and the incidence of costs in respect of ongoing military operations in the Former Yugoslavia and Iraq, the additional funding will be drawn onto Class 1, Vote 1 and Class 1, Vote 2, with only a token Estimate being taken on Class 1, Vote 3 to reflect a realignment of Estimates provision within the Vote. The Class 1, Vote 3 cash limit will be reduced to reflect the realignment of funding to the operating costs programme. The cash limit changes will be as follows:

£000

Class I	*Current cash limit*	*Change*	*Revised cash limit*
1	10,713,809	171,983	10,885,792
2	4,669,236	357,975	5,027,211
3	6,856,925	-219,854	6,637,071
Defence budget	22,239,970	310,104	22,550,074

The impact of these changes on the Defence Operating Costs Limit (DOC) is as follows:

£000

Class I	*Current cash limit*	*Change*	*Revised cash limit*
1	10,713,809	171,983	10,885,792
2	4,669,236	357,975	5,027,211
3	715,769	17,569	698,200
Defence budget	16,098,814	512,389	16,611,203

As the increase in the Defence budget cash limit will be met from the Reserve, which is part of the Government Control Total, it will not add to the planned total of public expenditure in the current year.

Decorations

Mr. Swayne: To ask the Secretary of State for Defence if he will make a statement about the future of the Territorial Decoration. [R] [70752]

Mr. Doug Henderson: Medals for the Reserve Forces are currently under review and an announcement will be made when the Review is complete.

Mr. Bob Russell: To ask the Secretary of State for Defence what plans he has to have a medal struck for British military personnel who served in Egypt protecting the Canal Zone between 1951 and 1954. [70925]

Mr. Doug Henderson: The Government have no plans to consider the retrospective institution of an award for service in the Suez Canal Zone during the period 1951–54.

The Under-Secretary of State carried out a comprehensive review of all extant historical documents on the subject in 1998 and concluded that he could find no grounds for reopening the case to award a medal for service in the Canal Zone between 1951 and 1954. Ministers have seen no new evidence that would enable them to recommend to the Honours and Decorations Committee that they overturn their policy of non-retrospection or any of the decisions made at the time and in subsequent reviews, several of which have taken place since 1990.

Trident (Millennium Compliance)

Mr. Savidge: To ask the Secretary of State for Defence what assessment he has made of reports that the US

Defense Department hopes to have resolved millennium bug problems in relation to the Trident missile system by 15 December. [70647]

Mr. Doug Henderson *[holding answer 11 February 1999]*: Like us, the US Defense Department is managing a vigorous programme to eliminate any effects of the Y2k problem from its systems. Specifically, the mission critical sub-systems of the Trident II (D5) Strategic Weapon System, as operated by the Royal Navy, have already been certified as Y2k compliant; the UK was notified of this in December 1998.

Defence Establishments (Wales)

Mr. Barry Jones: To ask the Secretary of State for Defence if he will list the defence establishments in Wales, indicating the number of people employed at each; and if he will make a statement. [70915]

Mr. Doug Henderson: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Bay of Gibraltar

Mr. Fallon: To ask the Secretary of State for Defence if he will list his Department's *(a)* official papers, *(b)* documents and *(c)* maps and charts which refer to the Bay of Gibraltar as the Bay of Algeciras. [71371]

Mr. Doug Henderson: The Ministry of Defence holds many thousands of official papers, documents, maps and charts concerning Gibraltar. A review to determine whether they refer to the Bay of Gibraltar or the Bay of Algeciras could be carried out only at disproportionate cost. I understand that both terms have been used in official papers, documents, maps and charts from my Department.

Ministerial Visits

Mr. Gray: To ask the Secretary of State for Defence if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71341]

Mr. Doug Henderson: Paragraph 79 of the Ministerial Code makes it clear that Ministers should inform hon. Members in advance of planned visits to their constituencies. Ministers in this Department undertake visits to all parts of the country but records of official visits are not held on a constituency basis.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for Defence if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70482]

Mr. Doug Henderson: At 1 July 1998, the latest date for which comprehensive data are available, the number of UK regular forces and UK based permanent civilian personnel was as follows:

UK based permanent civilian personnel

Government office regions	*All Great Britain*	*London*	*Wales*	*Scotland*	*North East*	*North West*	*Merseyside*
MoD Total	96,406	9,655	5,092	9,686	591	1,577	942
MoD Non-Agency	38,144	5,604	879	2,769	521	654	160
Agencies							
UK Hydrographic Office	776	1	—	4	—	—	—
Meteorological Office	2,016	68	34	166	21	35	—
Defence Evaluation and Research Agency	10,972	1,453	370	301	—	60	—
Military Survey	733	647	—	—	—	—	—
RAF Maintenance Group Defence Agency	4,390	3	3,317	3	—	1	—
Service Children's Education	10	—	—	—	—	—	—
Duke of York's Royal Military School	103	—	—	—	—	—	—
Queen Victoria School	70	—	—	70	—	—	—
Naval Aircraft Repair Organisation	1,489	—	1	360	—	—	—
Defence Analytical Services Agency	118	43	—	—	—	—	—
Defence Postal and Courier Service	328	246	9	6	—	—	—
Army Base Repair Organisation	2,598	3	17	147	—	5	—
Defence Animal Centre	62	3	—	—	—	—	—
Defence Secondary Care Agency	717	117	—	—	—	—	—
Ministry of Defence Police	3,570	252	33	866	—	98	8
Joint Air Reconnaissance Intelligence Centre	158	—		—	—	—	—
Naval Recruiting and Training Agency	1,226	112	8	13	11	4	11
RAF Training Group Defence Agency	2,124	20	180	41	5	19	14
Army Training and Recruitment Agency	4,488	40	135	120	6	12	3
Logistic Information Systems Agency	187	—	—	—	—	—	—
Defence Communications Service Agency	520	178	5	20	1	3	—
Defence Estates Organisation	1,073	19	16	72	8	—	—
Naval Bases and Supplies Agency	7,554	—	41	3,222	2	15	12
RAF Logistics Support Services	368	1	—	—	—	1	—
RAF Signals Engineering Establishment	580	—	—	59	—	—	—
Disposal Sales Agency	64	60	—	3	—	—	—
Defence Clothing and Textile Agency	508	2	—	2	—	1	—
Army Base Storage and Distribution Agency	3,326	3	17	35	1	281	—
Defence Transport and Movements Executive	101	—	—	—	—	—	—
Army Technical Support Authority	805	460	1	—	—	—	—

UK based permanent civilian personnel

Government office regions	*All Great Britain*	*London*	*Wales*	*Scotland*	*North East*	*North West*	*Merseyside*
Defence Dental Agency	147	8	4	7	1	4	—
Medical Supply Agency	236	1	—	7	—	—	—
Pay and Personnel Agency	853	—	—	—	—	257	—
Defence Bills Agency	706	—	—	—	—	—	705
Defence Codification Agency	111	—	—	110	—	—	—
Naval Manning Agency	99	2	—	—	—	—	—
Defence Intelligence and Security Centre	130	4	—	—	—	—	—
Army Personnel Centre	1,062	8	—	1,049	—	—	—
Ships Support Agency	2,305	1	25	156	—	—	—
RAF Personnel Management Agency	237	3	—	—	—	—	—
Armed Forces Personnel Administration Agency	108	1	—	—	—	—	—
Defence Vetting Agency	335	175	—	7	1	2	2
Medical Training Organisation	101	7	—	—	—	—	—
Specialist Procurement Services	798	110	—	71	13	125	27

UK based permanent civilian personnel

Government office regions	*Yorks & Humberside*	*East Midlands*	*West Midlands*	*Eastern*	*South East*	*South West*
MoD Total	3,154	2,815	8,522	6,683	24,102	23,587
MoD Non-Agency	1,472	1,448	1,874	3,916	7,309	11,538
Agencies						
UK Hydrographic Office	—	—	—	—	5	766
Meteorological Office	45	42	29	66	1,446	64
Defence Evaluation and Research Agency	—	19	1,826	371	4,358	2,244
Military Survey	—	—	—	—	85	1
RAF Maintenance Group Defence Agency	—	9	1,013	41	—	3
Service Children's Education	—	—	—	—	3	7
Duke of York's Royal Military School	—	—	—	—	103	—
Queen Victoria School	—	—	—	—	—	—
Naval Aircraft Repair Organisation	—	—	—	—	1,125	3
Defence Analytical Services Agency	—	—	—	—	10	65
Defence Postal and Courier Service	3	—	7	14	28	15
Army Base Repair Organisation	157	4	1,034	178	209	844
Defence Animal Centre	—	59	—	—	—	—
Defence Secondary Care Agency	135	—	—	5	450	10
Ministry of Defence Police	77	21	172	419	1,014	610
Joint Air Reconnaissance Intelligence Centre	—	—	—	158	—	—
Naval Recruiting and Training Agency	1	5	5	2	814	240
RAF Training Group Defence Agency	227	463	593	47	193	322
Army Training and Recruitment Agency	895	56	122	101	2,001	997
Logistic Information Systems Agency	—	—	—	—	186	1
Defence Communications Service Agency	17	—	—	1	105	190
Defence Estates Organisation	64	10	297	255	165	167
Naval Bases and Supplies Agency	—	313	—	1	2,086	1,862
RAF Logistics Support Services	—	—	1	364	1	—
RAF Signals Engineering Establishment	—	106	—	415	—	—
Disposal Sales Agency	—	—	—	—	1	—
Defence Clothing and Textile Agency	—	—	—	154	345	4
Army Base Storage and Distribution Agency	33	113	1,236	26	1,262	319
Defence Transport and Movements Executive	—	—	5	—	96	—
Army Technical Support Authority	—	96	111	1	124	12
Defence Dental Agency	12	4	7	12	69	19
Medical Supply Agency	3	1	1	1	29	193
Pay and Personnel Agency	—	—	144	—	—	452
Defence Bills Agency	—	1	—	—	—	—
Defence Codification Agency	—	—	—	—	1	—
Naval Manning Agency	—	—	—	—	97	—
Defence Intelligence and Security Centre	—	18	—	108	—	—
Army Personnel Centre	—	—	—	—	4	1
Ships Support Agency	—	—	—	—	86	2,037
RAF Personnel Management Agency	—	—	—	—	—	234
Armed Forces Personnel Administration Agency	—	—	—	—	59	48
Defence Vetting Agency	4	6	2	5	60	71
Medical Training Organisation	—	—	—	—	94	—
Specialist Procurement Services	9	21	43	22	79	278

UK based regular forces

Government office regions	*All Great Britain*	*London*	*Wales*	*Scotland*	*North East*	*North West*	*Merseyside*
MoD Total[1]	162,007	7,385	3,245	14,208	1,415	1,511	224
MoD Non-Agency	135,012	6,773	1,015	12,514	1,377	1,375	181
Agencies							
UK Hydrographic Office	5	—	—	—	—	—	—
Meteorological Office	—	—	—	—	—	—	—
Defence Evaluation and Research Agency	310	—	—	—	—	—	—
Military Survey	292	27	—	—	—	—	—
RAF Maintenance Group Defence Agency	2,268	—	1,764	—	—	—	—
Service Children's Education	—	—	—	—	—	—	—
Duke of York's Royal Military School	1	—	—	—	—	—	—
Queen Victoria School	—	—	—	—	—	—	—
Naval Aircraft Repair Organisation	—	—	—	—	—	—	—
Defence Analytical Services Agency	—	—	—	—	—	—	—
Defence Postal and Courier Service	201	201	—	—	—	—	—
Army Base Repair Organisation	9	—	—	—	—	—	—
Defence Animal Centre	110	—	—	—	—	—	—
Defence Secondary Care Agency	1,429	14	—	1	—	—	—
Ministry of Defence Police	6	1	—	—	—	—	—
Joint Air Reconnaissance Intelligence Centre	317	—	—	—	—	—	—
Naval Recruiting and Training Agency	3,258	64	15	143	9	10	8
RAF Training Group Defence Agency	3,907	17	356	42	10	16	25
Army Training and Recruitment Agency	7,396	51	67	318	16	23	10
Logistic Information Systems Agency	42	—	—	—	—	—	—
Defence Communications Service Agency	818	34	18	55	—	—	—
Defence Estates Organisation	4	1	—	—	—	—	—
Naval Bases and Supplies Agency	2,295	1	—	840	—	—	—
RAF Logistics Support Services	528	3	—	5	—	61	—
RAF Signals Engineering Establishment	325	—	—	—	—	—	—
Disposal Sales Agency	1	1	—	—	—	—	—
Defence Clothing and Textile Agency	19	—	—	—	—	—	—
Army Base Storage and Distribution Agency	375	—	—	—	—	24	—
Defence Transport and Movements Executive	81	—	—	—	—	—	—
Army Technical Support Authority	271	7	—	—	—	—	—
Defence Dental Agency	573	36	10	48	3	2	—
Medical Supply Agency	27	—	—	—	—	—	—
Pay and Personnel Agency	—	—	—	—	—	—	—
Defence Bills Agency	—	—	—	—	—	—	—
Defence Codification Agency	—	—	—	—	—	—	—
Naval Manning Agency	178	—	—	—	—	—	—
Defence Intelligence and Security Centre	395	—	—	—	—	—	—
Army Personnel Centre	239	—	—	227	—	—	—
Ships Support Agency	445	—	—	15	—	—	—
RAF Personnel Management Agency	214	—	—	—	—	—	—
Armed Forces Personnel Administration Agency	181	—	—	—	—	—	—
Defence Vetting Agency	—	—	—	—	—	—	—
Medical Training Organisation	475	154	—	—	—	—	—
Specialist Procurement Services	—	—	—	—	—	—	—

UK based regular forces

Government office regions	*Yorks & Humberside*	*East Midlands*	*West Midlands*	*Eastern*	*South East*	*South West*
MoD Total[1]	12,092	6,957	4,694	16,258	49,587	44,431
MoD Non-Agency	10,526	5,847	2,458	14,098	39,147	39,692
Agencies						
UK Hydrographic Office	—	—	—	—	—	5
Meteorological Office	—	—	—	—	—	—
Defence Evaluation and Research Agency	—	—	—	31	96	181
Military Survey	—	—	—	—	265	—
RAF Maintenance Group Defence Agency	—	4	467	30	—	3
Service Children's Education	—	—	—	—	—	—
Duke of York's Royal Military School	—	—	—	—	1	—
Queen Victoria School	—	—	—	—	—	—
Naval Aircraft Repair Organisation	—	—	—	—	—	—
Defence Analytical Services Agency	—	—	—	—	—	—
Defence Postal and Courier Service	—	—	—	—	—	—
Army Base Repair Organisation	—	—	—	—	9	—
Defence Animal Centre	—	110	—	—	—	—
Defence Secondary Care Agency	217	—	—	129	936	132

UK based regular forces

Government office regions	*Yorks & Humberside*	*East Midlands*	*West Midlands*	*Eastern*	*South East*	*South West*
Ministry of Defence Police	—	—	—	5	—	—
Joint Air Reconnaissance Intelligence Centre	—	—	—	317	—	—
Naval Recruiting and Training Agency	8	5	118	9	2,112	757
RAF Training Group Defence Agency	295	884	981	22	750	509
Army Training and Recruitment Agency	975	16	324	427	3,993	1,175
Logistic Information Systems Agency	—	—	—	—	42	—
Defence Communications Service Agency	46	—	—	81	314	270
Defence Estates Organisation	—	—	3	—	—	—
Naval Bases and Supplies Agency	1	—	—	1	595	857
RAF Logistics Support Services	—	2	—	436	2	19
RAF Signals Engineering Establishment	—	60	—	265	—	—
Disposal Sales Agency	—	—	—	—	—	—
Defence Clothing and Textile Agency	—	—	—	—	19	—
Army Base Storage and Distribution Agency	—	—	189	—	103	59
Defence Transport and Movements Executive	—	—	15	—	66	—
Army Technical Support Authority	—	—	115	—	149	—
Defence Dental Agency	24	29	23	49	241	108
Medical Supply Agency	—	—	1	2	1	23
Pay and Personnel Agency	—	—	—	—	—	—
Defence Bills Agency	—	—	—	—	—	—
Defence Codification Agency	—	—	—	—	—	—
Naval Manning Agency	—	—	—	—	178	—
Defence Intelligence and Security Centre	—	—	—	354	41	—
Army Personnel Centre	—	—	—	—	12	—
Ships Support Agency	—	—	—	—	117	313
RAF Personnel Management Agency	—	—	—	—	—	214
Armed Forces Personnel Administration Agency	—	—	—	—	77	104
Defence Vetting Agency	—	—	—	—	—	—
Medical Training Organisation	—	—	—	—	321	—
Specialist Procurement Services	—	—	—	—	—	—

[1] Covers UK regular forces and UK based permanent civilian personnel counted in the official Ministry of Defence civil service figures. Excludes Gurkhas and recalled reservists specially mobilised for service in the former Yugoslavia. UK based casual civilian personnel, and UK based permanent civilian personnel whose salaries are paid for, or re-imbursed by, other non Ministry of Defence organisations (such as NATO and USAF).

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Defence if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70975]

Mr. Doug Henderson: It is the policy of the MOD to make information widely available to the public in an accessible form, subject to necessary security restrictions. As part of this policy, the Ministry of Defence maintain a number of publicly accessible internet web sites. Topics covered range across the full business activities of the Department, including defence policy and operations, defence research, meteorological and hydrographic information, defence standards, and Service recruitment. We do not hold figures for the average monthly number of accesses, or "hits", to MOD web sites. However, the most recent month's figures are given for each site for which this information is available centrally. Unless otherwise stated, these figures cover the period 1 January 1999 to 31 January 1999.

The main sites currently available are:

Ministry of Defence*(http://www.mod.uk)*: 845,615

Royal Navy *(http://www.royal-navy.mod.uk)*: 425,397

Army *(http://www.army.mod.uk)*: 3,090,270[1]

Royal Air Force *(http://www.raf.mod.uk)*: 1,049,812

Royal Auxiliary Air Force (http://www.rauxaf.mod.uk)

DERA (http://www.dra.hmg.gb)

Atomic Weapons Establishment (http://www.awe.co.uk)

Met Office (http://www.meto.gov.uk)

Hydrographic Office (http://www.hydro.gov.uk)

MOD Directorate of Standardisation (Http://w vw.dstan.mod.uk)

Joint Air Transport Evaluation Unit

(http://dspace.dial.pipex.com/town/avenue/xjy87/index.htm)

[1] Covers period from 1 January 1999 to 7 February 1999

In addition, some Non Departmental Public Bodies, such as Service museums, maintain their own web sites, independent of the MOD.

The costs of setting up and operating these sites, and of individual future budgets, are not held centrally or in the form requested, and could be provided only at disproportionate cost.

RAF Manston

Mr. Gale: To ask the Secretary of State for Defence how many *(a)* military and *(b)* civilian aircraft movements there were at RAF Manston in each of the past five years for which figures are available; how many of the civilian movements related to gliders and light aircraft; and if he will make a statement. [70810]

Mr. Doug Henderson: Details of aircraft movements at RAF Manston have been collated since August 1994. The figures are as follows:

Year	*Military*	*Civil* *Light a/c*	*Civil* *Heavy a/c*	*Total*
1994 (August to December)	5,061	19,819	656	25,536
1995	17,450	45,071	1,332	63,853
1996	10,680	42,528	848	54,056
1997	7,598	33,921	1,177	42,696
1998	6,760	29,108	2,110	37,976

With the exception of a gliding squadron whose movement figures are not recorded, no military aircraft are based at RAF Manston. The number of military movements reflects principally the use made of the station by air experience flights and visiting detachments from the University Air Squadron.

Royal Navy Ships (Personal Mail)

Mr. Maples: To ask the Secretary of State for Defence what delays have occurred over the last two months in delivering personal mail to the crews of Royal Navy ships stationed in the Gulf. [71185]

Mr. Doug Henderson: There is no record, in the quality of service checks carried out by the Defence Postal and Courier Service Agency, of any delay in the last two months to personal mails to the crews of Royal Navy ships stationed in the Gulf.

Once received from the Post Office, all personal mail addressed to the crews of Royal Navy ships stationed in the Gulf is dispatched via scheduled commercial aircraft to British Forces Post Offices established at Kuwait and Bahrain and to accredited shipping agents at Dubai.

During the last two months, all mail on hand in the UK for the Gulf area has been dispatched six days a week to Kuwait, five days a week to Bahrain, and three days a week to Dubai. Over the Christmas and New Year holidays there were no mails on hand to dispatch on 25, 26 and 27 December 1998 and on 1 January 1999.

The Defence Postal and Courier Services Agency, which has responsibility for the dispatch of forces' mail worldwide, has a Customer Care Unit that investigates individual inquiries regarding the delivery of mails. During working hours, any inquiry may be made on the Customer Care Helpline, which offers a Freephone service.

I am aware that *The Sun* newspaper published an article on this matter on 12 February, and I would like to clarify the position. HMS Cumberland arrived in Durban, South Africa on 21 December and sailed on 7 January 1999. All Christmas mail was dispatched to the Ship in Durban safely and on time. HMS Cumberland then docked in Mombasa on 16 January and sailed on 22 January 1999. Unfortunately 15 bags of mail, dispatched to the Ship via Nairobi failed to arrive before she sailed from Mombasa, due to security problems in Nairobi and transport problems between Nairobi and Mombasa. The mail caught up with the ship in Bahrain when she docked there on 1 February.

Countryside

Mr. Gordon Prentice: To ask the Secretary of State for Defence how much land held by his Department he estimates would fall within the definition of open country as set out in the consultation document "Access to the Open Countryside" of February 1998. [71638]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

HOME DEPARTMENT

Asylum Seekers

17. **Mr. Geraint Davies:** To ask the Secretary of State for the Home Department what action is being taken to prevent illegal asylum seekers attempting to enter the United Kingdom hidden in vehicles. [69123]

Mr. Mike O'Brien: We will tackle the problem of illegal immigration. We are developing increased European and international co-operation to crack down on traffickers. Increased liaison between British and French border authorities is already paying dividends in preventing 2,000 illegal immigrants in the last six months from embarking for Dover. Seven traffickers are being prosecuted by the French as a direct result of information provided by the Immigration Service. The Immigration and Asylum Bill contains several important provisions, including a civil penalty which will apply to drivers of vehicles found transporting clandestine entrants to Britain.

29. **Mr. Prosser:** To ask the Secretary of State for the Home Department what plans he has to relieve the pressure on accommodation for asylum seekers in London and the south-east. [69136]

35. **Mr. Beard:** To ask the Secretary of State for the Home Department what plans he has to relieve the pressure on accommodation for asylum seekers in London and the south-east. [69142]

Mr. Mike O'Brien: As a result of court decisions arising out of the Asylum and Immigration Act 1996, Local Councils have faced an unacceptable burden in dealing with asylum seekers. Councils like Dover and Kent deserve great praise for their handling of these issues. Next year, the new Immigration and Asylum Bill will place responsibility on a Government Agency to provide for asylum seekers and to end the disproportionate pressure on Dover and other areas of Kent, as well as London. In the meantime, the Local Government Association is setting up a non-statutory dispersal scheme and the Government have provided extra funding for it.

Licensing Laws

18. **Mr. Illsley:** To ask the Secretary of State for the Home Department when he intends to announce changes to the UK licensing laws, with particular reference to the law relating to Sunday dancing. [69124]

Mr. George Howarth: We are considering industry proposals to relax the restrictions on commercially organised dancing on Sundays. I hope to be able to announce our conclusions soon.

Voluntary Organisations

19. **Mrs. Butler:** To ask the Secretary of State for the Home Department what action the Government have taken to support the work of voluntary organisations. [69125]

Kate Hoey: The Government have developed a new spirit of partnership with the voluntary sector. The published Compacts on relations between Government and the voluntary and community sector have put this relationship on a formal footing for the first time. My right hon. Friend the Prime Minister announced on 21 January that the Voluntary and Community Unit of the Home Office will be expanded and strengthened into the Active Community Unit to reflect our growing relationship with the sector.

25. **Mr. Quinn:** To ask the Secretary of State for the Home Department what action he has taken to support and promote the work of voluntary organisations in relation to crime prevention in local neighbourhoods. [69131]

Mr. Boateng: Voluntary organisations have an important role to play in crime prevention and reduction work. That is why the Order under section 5 of the Crime and Disorder 1998 Act requires that a wide range of voluntary bodies be invited to participate in the work of the crime and disorder reduction partnerships. Additionally, my Department funded the work of Crime Concern to produce and publish "Reducing Neighbourhood Crime—A Manual for Action".

Probation Services (Amalgamation)

20. **Mr. David Heath:** To ask the Secretary of State for the Home Department what is his policy in respect of the amalgamation of probation services. [69126]

Mr. George Howarth: "Joining Forces to Protect the Public", published last August, included proposals to align probation areas and police force boundaries. Implementation would reduce the number of probation areas from 54 to 42. We are carefully considering the replies received and expect to announce decisions about the future re-organisation soon.

Crime and Disorder Strategies

21. **Mr. Paul Clark:** To ask the Secretary of State for the Home Department if he will make a statement on plans to establish local crime and disorder strategies. [69127]

Mr. Boateng: The Crime and Disorder Act 1998, which received Royal Assent on 31 July 1998, lays a duty upon the local authority and police in every area to formulate and implement a strategy for the reduction of crime and disorder. The strategies—covering a period of three years—must be produced by 1 April 1999.

Local Partnership Crime Audits

22. **Ms Coffey:** To ask the Secretary of State for the Home Department if he will make a statement on the completion rate of local partnerships' crime audits. [69128]

Mr. Boateng: There is no formal deadline for the completion of audits. The crime and disorder strategies—which follow on from the audits and must be the subject of wide local consultation—have to be completed by 1 April 1999. I am encouraged by the commitment I see on the part of the local crime reduction partnerships to completing the tasks set for them in a timely and effective way.

Police Pensions

23. **Mr. Swayne:** To ask the Secretary of State for the Home Department if he will make a statement about his proposals for reforming police pensions. [69129]

Kate Hoey: Following our consultation document of last year on police pensions, work is in hand on detailed proposals for the pension arrangements for new entrants to the service and for changes to the medical retirement procedures. We plan to publish our proposals in the Spring. They will be published in advance of implementation to allow for full consultation with the interested parties.

Liquor Licensing

24. **Ms McCafferty:** To ask the Secretary of State for the Home Department what plans he has to reform the system of liquor licensing. [69130]

Mr. George Howarth: I announced last May a comprehensive review of liquor licensing legislation. We aim to produce proposals by early next year for a simpler and more effective system.

Crime and Disorder Act 1998

26. **Mr. Coaker:** To ask the Secretary of State for the Home Department what consultations he has had with magistrates regarding implementation of the provisions of the Crime and Disorder Act 1998 which relate to young offenders; and if he will make a statement. [69132]

Mr. Boateng: Consultation with magistrates, including through the Magistrates' Association, is an important element in taking forward implementation of the youth justice provisions of the Crime and Disorder Act. Through the White Paper "No More Excuses" and a range of draft guidance documents, the Government have sought views on the timing and process of implementation. Through the participation of the courts in 15 areas in pilots of new court orders for dealing with young offenders and of measures to reduce delay, magistrates are also playing a key role in helping to identify effective practice under the new provisions ahead of national implementation.

Mr. Maclean: To ask the Secretary of State for the Home Department what estimate he has made of the cost to (i) the police service, (ii) the Court Service, (iii) the probation service and (iv) other agencies of implementing the provisions in the Crime and Disorder Act 1998. [70611]

Mr. Straw: The Explanatory and Financial Memorandum to the Crime and Disorder Bill published on 17 November 1997 set out the estimated resource implications of the Act. The last composite estimates compiled by my Department were produced on 10 August 1998 and are given in the following table:

£000

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Home Office	9,137	27,866	52,742	73,542
Probation Service	1,337	3,028	29,104	49,104
Other	7,800	24,838	23,638	24,438
Prison Service	2,100	5,070	5,060	5,160
Lord Chancellor's Department	3,674	20,731	31,895	33,218
Magistrate Courts	–1,251	–81	7,390	6,871
Crown Court	1,338	5,074	7,578	8,082
Legal Aid	3,587	15,739	16,928	18,266
Crown Prosecution Service	753	2,519	3,219	2,319
Local Authorities	1,811	3,247	15,066	15,066
Total	17,475	59,434	107,983	129,306

The costs and savings of the Act can be accurately determined only after the completion of the pilots in respect of the youth justice provisions, drug treatment and testing orders, the Narey measures and the television links to courts.

The Act is intended to deal more effectively with offending behaviour and to reduce crime. This should in time produce savings across the criminal justice system and a wide range of public services.

Metropolitan Police (Disciplinary Procedures)

27. **Mr. Blunt:** To ask the Secretary of State for the Home Department if he will make a statement on the internal disciplinary procedures of the Metropolitan police. [69133]

Kate Hoey: The disciplinary arrangements for officers of the Metropolitan Police are set out in the Police (Discipline) Regulations 1985, which apply to officers throughout England and Wales. Officers who breach any part of the Disciplinary Code, which appears as Schedule 1 to the Regulations, are likely to face disciplinary proceedings.

Under new arrangements being implemented from 1 April 1999, there will be a Code of Conduct to replace the present Discipline Code.

Fire Service (London)

28. **Mr. Randall:** To ask the Secretary of State for the Home Department what representations he has received recently from the Fire Service in London. [69135]

Mr. George Howarth: In December, the London Fire and Civil Defence Authority wrote to my right hon. Friend the Home Secretary about the Authority's financial position and its recent review of fire cover. We have also seen the representations which the Authority made to the Department of the Environment, Transport and the Regions about the provisional local government finance settlement for 1999–2000.

Tobacco and Alcohol Smuggling

30. **Mrs. Lait:** To ask the Secretary of State for the Home Department if he will make a statement on co-operation between police and Her Majesty's Customs on tobacco and alcohol smuggling and bootlegging. [69137]

Mr. Boateng: The primary responsibility for countering smuggling and the evasion of duty rests with Her Majesty's Customs and Excise, but there are well established arrangements to ensure close co-operation between the police service and Her Majesty's Customs to combat these and other criminal activities.

Unauthorised Camping

31. **Dr. Iddon:** To ask the Secretary of State for the Home Department what progress he has made in agreeing operational guidelines with the Association of Chief Constables to deal with unauthorised camping. [69138]

Mr. Boateng: Discussions have been held with representatives of the Association of Chief Police Officers (ACPO) with a view to strengthening current operational guidelines on dealing with unauthorised camping. I understand that revised draft guidelines will be considered by ACPO Council at their meeting of 28 April.

Attacks on Teachers

32. **Mr. Wyatt:** To ask the Secretary of State for the Home Department if his Department will issue guidelines to ensure that all police forces pursue incidents of attacks on teachers. [69139]

Mr. Boateng: In December 1997, the Home Office and the Department for Education and Employment issued a joint guidance document to the police and education services entitled "School Security: Dealing with Troublemakers".

This deals with the safety of pupils and staff and provides guidance on the roles of schools and the police in dealing with assaults.

Licensing Hours (New Year's Eve)

33. **Jane Griffiths:** To ask the Secretary of State for the Home Department when he plans to announce his response to the consultation on new year's eve licensing hours. [69140]

Mr. George Howarth: The closing date for comments on our proposals was last Friday, 12 February. We shall consider them and announce our intentions as soon as we can.

Passport Fees

34. **Mr. Evans:** To ask the Secretary of State for the Home Department what representations he has received on passport fees. [69141]

Mr. Mike O'Brien: The United Kingdom Passport Agency does not keep figures for representations received on passport fees. However, the number of complaints received is minimal. The United Kingdom passport fee is one of the lowest in the world and represents good value for money.

Police (Parliamentary Questions)

Mr. Horam: To ask the Secretary of State for the Home Department how many parliamentary questions he received from hon. Members about police forces outside London in the calendar year 1998. [69895]

Mr. Boateng: The Home Department received 139 Parliamentary Questions concerning issues relating to police forces outside London in the calendar year 1998.

Millennium Celebrations (Costs)

Mr. Wigley: To ask the Secretary of State for the Home Department if he will make a special allocation of funds, above their normal revenue budgets, to the police and fire services to cover the additional costs arising from the millennium celebrations. [70307]

Mr. Boateng: The Government's plans allow police spending to increase in 1999–2000 by £186 million (2.7 per cent.) to over £7.1 billion. Police authorities will be able to increase their spending power by achieving the 2 per cent. efficiency target which has been set and re-investing the savings in front-line policing. It is the Government's general expectation that the additional costs arising from millennium celebrations should be met from within police budgets.

Central Government revenue support for the fire service in England is provided through the revenue support grant system. Funding pressures for the fire service in England and Wales, including those which may result from the Millennium, were identified by the local authorities' Fire Service Expenditure Forecasting Group under the Central Local Partnership arrangements. These pressures were taken into account in the Comprehensive Spending Review.

Drugs Prevention

Mr. Beith: To ask the Secretary of State for the Home Department what was the expenditure on his Department's drugs prevention initiatives, in cash and real terms, in each of the last three years; what is the planned cash and real terms spending in each of the next three years; and if he will make a statement. [70324]

Mr. George Howarth: Home Office expenditure on the Drugs Prevention Initiative and its successor body, the Drugs Prevention Advisory Service, over the period is as follows:

£ million

	Cash	*Real terms*
1996–87	5.9	6.2
1997–98	6.0	6.1
1998–99[1]	5.8	5.8
1999–2000	6.3	6.1
2000–01	6.3	6.0
2001–02	6.3	5.9

[1] Estimated

In addition, from 1999–2000 the Home Office Drugs Prevention Advisory Service will disburse Drug Action Team Development funding, on behalf of the United Kingdom Anti Drugs Co-ordination Unit. This funding, of £5 million in each year, is provided on a shared basis by the Home Office, the Department of Health, the Department for Education and Employment and Customs and Excise.

Police Overtime

Mr. Beith: To ask the Secretary of State for the Home Department what was the total expenditure on police overtime in each of the last three years, per police force, and in total; what are the rates for *(a)* overtime pay and *(b)* standard pay; and if he will make a statement. [70323]

Mr. Boateng: Information is not held centrally on the total expenditure on police overtime and could be obtained only at disproportionate cost. The provisions for determining police officers' rates of pay for overtime are contained in Regulation 28 of the Police Regulations 1995. The standard rates of pay are:

Pay (Constable to Superintendent)

	Pay point	*Annual salary with effect from 1 September 1998 (£)*	*London salaries*
Constable			
On commencing service	1	16,056	—
On completion of initial training perid	2	17,964	—
On completion of 2 years' satisfactory service	3	19,029	—
	4	19,533	—
	5	20,211	—
	6	20,859	—
	7	21,540	—
	8	22,161	—
	9	22,722	—
	10	23,460	—
	11	24,321	—
	12	25,410	—
Sergeant	1	24,525	—
	2	25,410	—
	3	26,295	—
	4	27,189	—
	5	27,774	—
	6	28,605	—
Inspector and Chief Inspector	1	31,719	33,171
	2	32,655	34,104
	3	33,588	35,037
	4	34,518	35,970
First Chief Inspector point	5	35,454	36,909
	6	36,183	37,638
	7	36,918	38,370
	—[1]	37,650	39,102
	—[1]	38,307	39,759
Superintendent	1	[2]41,484	—
	2	42,783	—
	3	44,085	—
	4	45,387	—
	5	46,833	—
	6	[3]48,390	—
	7	49,236	—
	8	50,310	—
	9	51,495	—

[1] Only applicable to those chief inspectors who were at the penultimate and maximum point of the scale on 31 August 1994

[2] Min. of Range 1

[3] Max. of Range 1 and min. of Range 2

Pay (ACPO ranks)

	Officers appointed on a fixed term basis with effect from 1 September 1998 (£)	*Officers not appointed on a fixed term basis with effect from 1 September 1998 (£)*
Assistant Chief Constable	62,259–71,466	59,292–68,064
Designated deputies ACC (D)	80 per cent. of the basic salary of their chief or £71,466, whichever is higher	80 per cent. of the basic salary of their chief or £68,064, whichever is higher
Chief Constable		
Population band		
up to 500,000	74,616–85,335	71,058–81,267
500,001–1,000,000	78,432–92,232	74,700–87,840
1,000,001–2,000,000	85,335–99,129	81,267–94,410
Over 2,000,000	94,434–106,569	90,036–101,613
Chief Constables of Greater Manchester, Strathclyde and West Midlands	97,848–110,430	93,297–105,291
Metropolitan Police		
Commander	62,259–71,466	59,292–68,064
Designated Commander	80 per cent. of the basic salary of Assistant Commissioner	80 per cent of the basic salary of Assistant Commissioner
Assistant Commissioner	93,945–99,129	90,036–94,410
Deputy Commissioner	104,682–112,509	99,570–107,016
City of London		
Commissioner	85,335–99,129	81,267–94,410
Assistant Commissioner	80 per cent. of the basic salary of Commissioner or 71,466 whichever is higher	80 per cent. of the basic salary of Commissioner or 68,064 whichever is higher

Speeding Fines

Mr. Öpik: To ask the Secretary of State for the Home Department (1) how much was raised from speeding fines in each Policy Authority area in Wales in each of the last five years; and if he will make a statement; [70336]

(2) how much revenue was raised from speeding fines in the UK in each of the last five years; and if he will make a statement; [70335]

(3) how much was raised from speeding fines in each county of Wales in 1997–98; what was the average per county; and if he will make a statement; [70333]

(4) what percentage of revenue raised from speeding fines related to speeding offences caught on cameras in 1997–98; and if he will make a statement. [70334]

Mr. Boateng: Information on the amount of revenue raised from speeding fines is not available.

However, information available to me shows that the amounts shown in the table were ordered to be paid in fines in England and Wales and for the four Welsh police forces. Information by individual Welsh county is not readily available, nor is a breakdown to show which fines had been ordered to be paid following speeding offences detected by automatic camera. Figures are not yet available for 1998, and those for 1997 are provisional.

As the majority of speeding offences are dealt with by way of fixed penalty notices, figures for the number of notices issued are also included in the table. The penalty for speeding offences is £40.

Not all fines or fixed penalties will have been paid.

Total amounts ordered to be paid in fines for speeding offences and number of fixed penalties issued for speeding offences England and Wales 1993–1997

	Total amount ordered to be paid in fines for speeding offences	*Number of fixed penalty notices issued for speeding offences*
1993		
Dyfed-Powys	54	4,664
Gwent	175	3,400
North Wales	148	6,302
South Wales	84	4,548
Total England and Wales	12,475	394,758
1994		
Dyfed-Powys	54	5,275
Gwent	148	2,251
North Wales	154	6,548
South Wales	79	4,162
Total England and Wales	11,676	472,470
1995		
Dyfed-Powys	60	5,823
Gwent	120	2,610
North Wales	142	8,143
South Wales	71	4,191
Total England and Wales	12,512	530,172
1996		
Dyfed-Powys	90	3,681
Gwent	258	4,286
North Wales	166	8,833
South Wales	95	11,161
Total England and Wales	12,904	595,052
1997 (provisional)		
Dyfed-Powys	95	6,708
Gwent	372	5,263
North Wales	163	9,145
South Wales	233	22,227
Total England and Wales	15,523	712,324

Policing (European Union)

Mr. Beith: To ask the Secretary of State for the Home Department what research his Department has undertaken on the relative levels and methods of policing in European Union countries; and if he will make a statement. [70321]

Mr. Boateng: The Home Office Police Research Group carried out a major review of the size and structure of overseas police forces for the Sheehy Inquiry into Police Responsibilities and Rewards in 1993. The report "Approaches to Rank Structure and Pay in Police Forces: an International Survey" covered the size, rank and career structure, pay and retirement regulations in 14 countries, including many in the European Union. No research on the relative levels and methods of policing in European Union countries has been commissioned by the Home

Office since, although we do maintain good links and regularly exchange information on policing with our European Union partners.

Fire Services Expenditure

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will list for each fire authority in the United Kingdom *(a)* the SSA per head of population and *(b)* the actual spending per head of population in each year from 1992 to date. [70268]

Mr. George Howarth: Figures detailing the fire standard spending assessment per head for all local authorities in England, for the financial years 1992–93 to 1998–99, are available in the relevant Standard Spending Assessment (SSA) Handbook—copies of which are in the Library.

Figures for the 1999–2000 provisional fire standard spending assessment per head were given in an answer to my hon. Friend the Member for Tamworth (Mr. Jenkins) on 11 January 1999, *Official Report*, columns *87–88*. The final figures, which show only minor differences, will be published in the SSA Handbook for 1999–2000 in due course.

In Wales, standard spending assessments are not identified by service block.

Tables have been placed in the Library which give the spending figures on the fire service in England and Wales for the years 1992–93 to 1997–98.

Financial provision for the fire services in Scotland and Northern Ireland is the responsibility of my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland.

Criminal Activity

Mr. Webb: To ask the Secretary of State for the Home Department if he will conduct research to assess the extent of criminal activity among those who have no income from social security benefits or from any other formal source. [70598]

Mr. Boateng: The 1998–99 youth life styles survey examines rates of self-reported offending among young people aged between 12 and 30. A proportion of these will not be in education, employment or training and so will not have any formal source of income.

The Home Office Research, Development and Statistics Directorate are currently conducting the survey. Information will be available later in 1999.

Closed Circuit Television

Mr. Vaz: To ask the Secretary of State for the Home Department what research he has commissioned into the effectiveness of CCTV in detecting crime. [70403]

Mr. Boateng: The Home Office Police Research Group study "CCTV in Town Centres: Three Case Studies" has shown that closed circuit television (CCTV) can be effective in reducing crime and the fear of crime, when used as part of a wider strategy.

The Home Office keeps under review the research literature on CCTV and we will be assessing the evaluations of effectiveness produced by the schemes which received funding under the CCTV Challenge Competition as they become available.

Mr. Todd: To ask the Secretary of State for the Home Department what steps he is taking to encourage further investment in closed circuit television systems intended to reduce crime. [70751]

Mr. Boateng: Over 170 closed circuit television (CCTV) schemes will receive funding this year under the CCTV Challenge scheme.

In addition, as part of the £250m crime reduction programme, at least £50m will be invested over the next three years in 500 local projects to tackle domestic burglary. The first 60 of these projects are currently being developed to start in April, and some may include CCTV as part of their approach.

Immigration and Nationality Directorate (Liverpool)

Mr. Vaz: To ask the Secretary of State for the Home Department what proposals he has to create a unit to respond to hon. Members inquiries at Liverpool IND. [70402]

Mr. Mike O'Brien: There are no proposals to create a Member of Parliament's inquiry unit at Liverpool Immigration and Nationality Directorate.

Animals (Medical Research)

Dr. Kumar: To ask the Secretary of State for the Home Department what research has been commissioned or evaluated by his Department on the development of techniques which would replace the use of animals in medical research; and if he will make a statement. [70666]

Mr. George Howarth: Details of projects funded by the Home Office, and their results, are published in the annual reports of the Animal Procedures Committee, which are laid before Parliament as required by section 20(5) of the Animals (Scientific Procedures) Act 1986. The Animal Procedures Committee advises on the sponsoring of work aimed at developing or promoting the use of alternatives which replace animal use, reduce the number of animals used or refine the procedures to minimise suffering. The budget for this has been increased by 42 per cent. to £259,000 in 1998–99.

Decisions are still to be made on the projects to fund in the next financial year.

This is not the only money spent by the Government on alternatives: other Departments also fund relevant work as an integral part of scientific research. Industry, too, spends millions of pounds each year on the search for and development of alternatives.

The United Kingdom Government continue to support the European Centre for the Validation of Alternative Methods through contributions to the European Union. It is the Centre's task to monitor and co-ordinate research into alternatives and to develop the processes of validation.

Re-offenders

Mr. Maclean: To ask the Secretary of State for the Home Department what assessment he has made of the re-offending rates of (i) persistent young offenders and (ii) all young offenders. [70614]

Mr. Boateng: The Government have no information about re-offending rates. Information is available about re-conviction rates. Persistent young offenders (as defined in joint Home Office/Lord Chancellor's Department Circular "Measuring Performance to reduce delays in the youth court system") have not been routinely identified in the past in data used to produce re-conviction rates. Plans are in place to do so in future.

Reconviction rates are available for all young offenders. The table sets out the percentage of those aged 10–17 convicted of a standards list offence in 1994 who were re-convicted for such an offence within two years, across a range of disposals.

Percentage

Disposal	*Age at sentence 10–17*
Conditional discharge	58
Fine	66
CYP supervision order	79
Probation	87
Community service order	74
Custodial sentence	81
Attendance centre order	72

Children and Young Persons Act 1969

Excludes detentions under section 53 of the Children and Young Persons Act 1963

The Government have embarked upon a radical restructuring of the youth justice system, including reforms to the youth court and range of new sentencing options. The system as a whole has been given a new statutory aim—to prevent offending by children and young persons. The new court disposals that have been introduced, including the action plan and reparation orders and the new custodial sentence, the detention and training order will all have a clear focus on rehabilitation and preventing future offending and re-offending.

Young Offenders

Mr. Maclean: To ask the Secretary of State for the Home Department what estimate he has made of the cost of implementing his target of halving the time from arrest to sentence for persistent young offenders. [70612]

Mr. Boateng: The pledge to halve the time from arrest to sentence for persistent young offenders is aimed at reducing unnecessary delay and improving efficiency. Experience in those areas running fast tracking schemes indicates that the initiatives are generally cost neutral and, in some cases, have already resulted in savings through increased efficiency.

The Crime and Disorder Act 1998 introduced a range of measures which will help to deliver the pledge by strengthening the ability of the court to manage cases and making procedural changes to ensure delays are avoided. The costs or savings of these measures—which cover both youth and adult cases—will be assessed following the pilots which are now in progress.

Mr. Maclean: To ask the Secretary of State for the Home Department what representations he has received from (i) youth courts and (ii) other agencies about the implementation of fast-tracking for persistent young offenders. [70613]

Mr. Boateng: We are in regular contact on this issue with practitioners from all of the youth justice agencies, including the courts, through correspondence and attendance at youth justice seminars and conferences. The responses to a Home Office survey of all youth court areas in England and Wales conducted in April 1998 indicated that 160 youth court areas now have a fast tracking scheme. A further survey this year has yet to be completed, but is already confirming that the number of schemes continues to grow.

Mr. Maclean: To ask the Secretary of State for the Home Department if he will provide a breakdown, for each of the last three years, of the sentencing decisions made in respect of (i) persistent young offenders and (ii) all young offenders. [70619]

Mr. Boateng: The sentencing decisions in respect of persistent young offenders (as defined in joint Home Office/Lord Chancellor's Department Circular "Measuring Performance to reduce delays in the youth court system") have not been routinely identified in the past, but plans are in place to do so in future. Information is collected about all young people aged 10–17 sentenced for indictable offences by type of sentence or order. The following table contains a breakdown for each of the last three years for which figures are available.

Persons aged 10 to 17 sentenced for indictable offences by sex and type of sentence or order—England and Wales

	Persons/year		
	1995	*1996*	*1997*
Total number of persons sentenced	42,166	44,302	46,301
Absolute or conditional discharge	14,066	14,160	14,457
Fine	4,641	4,671	5,016
Probation order	1,594	1,879	1,996
Supervision order	8,064	8,539	8,728
Community service order	2,667	2,799	2,972
Attendance centre order	4,981	4,880	4,943
Combination order	775	1,020	1,279
Curfew order	-	10	47
Young offender institution	4,326	4,979	5,358
S53 CYP Act 1933	401	635	748
Otherwise dealt with	651	730	777
Total immediate custody	4,326	4,979	5,358
Total community sentences	18,081	19,127	19,945

Source:

CCJU (RDS) IOS110-99.xls

Firearms Compensation

Mr. Maclean: To ask the Secretary of State for the Home Department (1) if he will list by each firearm compensation category and by each police area, the outstanding claims which have not been settled in terms of *(a)* numbers and *(b)* amounts; [70575]

(2) what is the total amount paid out to date in firearms compensation since 1997. [70574]

Mr. Boateng: £72.8 million has been paid so far in compensation. Detailed information about the number, category and value of claims outstanding in each police area is not readily available. Overall, there are around

10,000 claims awaiting payment offers under Option C of the schemes, the great majority of which will have received payments under other options. The aim remains to make offers on the outstanding claims by the end of March.

Louise Woodward

Mr. Maclean: To ask the Secretary of State for the Home Department what requests he has received from the U.S. court in respect of the enforcement of its order that Louise Woodward should not profit from her conviction. [70572]

Mr. Boateng: As a matter of policy, we do not normally comment on the fact or substance of requests from other governments for mutual legal assistance in relation to criminal matters. The recent out-of-court settlement of private civil proceedings brought in the United States against Ms Woodward by the parents of Matthew Eappen, which is reported to have included undertakings not to profit from any sale of the story in relation to this case, could not be the subject of such a request.

Au Pairs

Mr. Malins: To ask the Secretary of State for the Home Department what estimate he has made of the effect on the numbers of au pairs coming to the United Kingdom of the decision by the Department for Education and Employment to include them within the minimum wage provisions; and what representations his Department has made about the matter to the Department for Education and Employment. [70374]

Mr. Mike O'Brien: I have been in contact with my colleagues at the Department of Trade and Industry, who are responsible for the National Minimum Wage provisions. I have made no study of the kind referred to by the hon. Member.

Owen Oyston (Police Interviews)

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department if he will seek a report from the Chief Constable of Greater Manchester on the reasons for police interviews of women in connection with the conviction of Owen Oyston for rape in the last six months. [70720]

Mr. Boateng: I understand that witnesses were contacted by the Greater Manchester Police following the service of a subpoena on the Chief Constable requiring him to disclose material from the criminal proceedings for the purposes of a civil action against Mr. Oyston. Officers contacted witnesses to advise them of the civil proceedings and to seek their consent to the disclosure of their statements. Officers have not taken statements or conducted interviews on behalf of the plaintiff to the civil action.

Prisoners (Early Release)

Mr. Heppell: To ask the Secretary of State for the Home Department (1) in how many cases since 1991 discretionary power has been exercised for the release on compassionate grounds of *(a)* long-term and *(b)* life prisoners; [70392]

(2) what criteria he applies in the exercise of his powers under section 36(1) of the Criminal Justice Act 1991 regarding the release of prisoners on compassionate grounds under licence. [70393]

Mr. George Howarth: Following the coming into force of section 30 of the Crime (Sentences) Act 1997 on 1 October 1997, the release on compassionate grounds of life prisoners is considered under that Act. Section 36(1) of the Criminal Justice Act 1991 now applies only to determinate sentence prisoners.

Prison Service records show that 54 determinate sentence prisoners (including long term) and 18 life sentence prisoners were released on compassionate grounds between the implementation of section 36 of the Criminal Justice Act 1991, in October 1992, and the end of 1998.

When considering compassionate release on medical grounds, the Secretary of State applies the following criteria in all cases:

the prisoner is suffering from a terminal illness and death is likely to occur soon; or the prisoner is bedridden or similarly incapacitated; and

the risk of re-offending is past; and

there are adequate arrangements for the prisoner's care and treatment outside prison; and

early release will bring some significant benefit to the prisoner or his/her family

In the case of determinate sentence prisoners, compassionate release may be considered where tragic family circumstances exist, in which case the criteria are as follows:

the circumstances of the prisoner or the family have changed to the extent that if he/she served the sentence imposed, the hardship suffered would be of exceptional severity greater than the court could have foreseen; and

the risk of re-offending is past; and

it can be demonstrated beyond doubt that there is a real and urgent need for the prisoner's permanent presence with his/her family; and

early release will bring some significant benefit to the prisoner or his/her family.

In addition, in the case of all determinate sentence prisoners the following factors are considered:

whether temporary release under the Prison Rules could significantly reduce the prisoner's and/or family's suffering;

the length of the sentence still outstanding; the effect on the overall sentence passed by the court if early release is granted; and any remarks which the trial judge made on sentencing which may have a bearing on the question of release;

the wishes of the prisoner and his/her family and the level of benefit which would derive to the prisoner and/or the family from permanent release; and

in medical cases, the diagnosis and prognosis; in particular whether there is a specific estimate of life expectancy; and the degree of incapacitation.

The Secretary of State may also release a determinate sentence prisoner if he is satisfied that other exceptional circumstances exist.

Special Constables

Mr. Alan Campbell: To ask the Secretary of State for the Home Department what proposals he has to introduce payments for special constables. [70947]

Mr. Boateng: None. A pilot scheme was conducted in Dorset between 1991 and 1993 whereby special constables who performed 125 hours duty in a six month period qualified for a bounty payment of £200. The results of the scheme were inconclusive and the Police Service did not consider that a bounty should be mandatory for special constables.

During its review of 1995–96, the Special Constabulary Working Group received evidence suggesting that the overwhelming majority of special constables valued their voluntary status highly and did not want this to be changed. As a result, the Group concluded that a bounty should not be paid to special constables and recommended that the regulation enabling the discretionary payment of a limited bounty should be repealed. We agree with this recommendation and the relevant regulation will be repealed later this year.

Mr. Alan Campbell: To ask the Secretary of State for the Home Department what plans he has to recruit more special constables. [70952]

Mr. Boateng: We support the police forces' recruitment campaigns by holding a Specials Week during which I and a number of my ministerial colleagues attend events held by forces around the country to highlight and promote the service provided by special constables. To complement these activities, some forces are supported with local press and radio advertising costing £500,000. In addition, the Home Office has produced a recruitment video, a series of posters, and a recruitment brochure for the forces.

Mr. Alan Campbell: To ask the Secretary of State for the Home Department what is the total number of special constables currently serving in each police authority area; and what is the cost. [70953]

Mr. Boateng: The provisional figures for the number of special constables in post in each police force area in England and Wales on 30 September 1998 are:

Area	*Number*
Avon and Somerset	584
Bedfordshire	175
Cambridgeshire	308
Cheshire	416
City of London	69
Cleveland	136
Cumbria	210
Derbyshire	355
Devon and Cornwall	916
Dorset	303
Durham	159
Dyfed-Powys	237
Essex	590
Gloucestershire	245
Greater Manchester	567
Gwent	114
Hampshire	747
Hertfordshire	267
Humberside	289
Kent	565
Lancashire	465
Leicestershire	350
Lincolnshire	233
Merseyside	463
Metropolitan	1,214
Norfolk	351
Northamptonshire	262
Northumbria	360
North Wales	336
North Yorkshire	302
Nottinghamshire	530
South Wales	360
South Yorkshire	266
Staffordshire	558
Suffolk	402
Surrey	226
Sussex	415
Thames Valley	587
Warwickshire	323
West Mercia	499
West Midlands	784
West Yorkshire	590
Wiltshire	176
Total	17,304

The costs of special constabularies are not collected centrally.

Asylum Cases

Mr. Coleman: To ask the Secretary of State for the Home Department if he will introduce a requirement that the officer signing a decision on an asylum case states their grade. [70732]

Mr. Mike O'Brien: No. The letter to applicants already makes it clear that in law the decision is that of the Secretary of State. No useful purpose would be served by specifying the grade of the officer signing that letter.

Mr. Coleman: To ask the Secretary of State for the Home Department what is the Civil Service grade of the staff who make decisions to deport under (i) section 3(5)(a), (ii) section 3(5)(b) and (iii) section 3(5) of the Immigration Act 1971. [70730]

Mr. Mike O'Brien: Decisions to serve a notice of intention to deport are taken by trained staff at the appropriate grade, depending on the complexity of the issues raised. This will normally be either executive officer, or administrative officer for the most straightforward cases, although more complex cases may be dealt with by senior caseworkers at senior or higher executive officer grades. Where a notice is served by the Immigration Service under delegated authority, authorisation is given at Inspector level.

Airline Liaison Officers

Mr. Gerrard: To ask the Secretary of State for the Home Department what criteria he uses to assess the appropriate locations for the postings of airline liaison officers. [71060]

Mr. Mike O'Brien: Airline liaison officer locations are selected primarily on the basis of the number of inadequately documented passengers departing from or passing in transit through overseas airports. In addition, due account is taken of other relevant factors: personal safety; the agreement of the host governments; and the co-operation of other bodies including airlines and airport authorities.

Mr. Gerrard: To ask the Secretary of State for the Home Department what records are kept of action taken by other Governments as a result of assistance given by airline liaison officers. [71061]

Mr. Mike O'Brien: Airline liaison officers do not provide direct assistance to other governments on cases involving individual passengers who are not adequately documented for travel to the United Kingdom. They do provide information to the appropriate authorities on the activities of facilitators and racketeers involved in human smuggling and records are kept of the outcome when it is known.

Mr. Gerrard: To ask the Secretary of State for the Home Department to which locations further airline liaison officers have been posted since 27 July 1998; and to what additional locations he plans to post further officers during 1999. [71063]

Mr. Mike O'Brien: Since 27 July 1998, airline liaison officers have been posted to Bahrain, Bangkok, Dubai, Istanbul and Pretoria. An officer will be posted to Moscow towards the end of April. By the end of 1999 we plan to have posted up to nine more officers. Final decisions on the exact locations of these additional posts have yet to be made.

Mr. Gerrard: To ask the Secretary of State for the Home Department what estimates he has made of the number of prospective passengers who have not travelled to the United Kingdom in the past 12 months as a result of the work of airline liaison officers. [71062]

Mr. Mike O'Brien: In 1998, airlines operating from the five locations where airline liaison officers were based refused carriage to 2,095 prospective passengers who were not adequately documented for travel to the United Kingdom.

Mounted Police

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will list those police authorities that have disbanded their mounted divisions since 1990. [70886]

Mr. Boateng: This information is not collected centrally.

Bloodhounds

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the bloodhound in helping to track down suspects and detect criminal activity. [70885]

Mr. Boateng: In April 1998, the Policing and Reducing Crime Unit at the Home Office supported an application under the Police Research Award Scheme from Essex Police to purchase and train two Bloodhound and two German Shepherd puppies. The proposal was to train the puppies in an alternative tracking method known as scent discrimination. This method depends on the dog tracking the individual scent of the person rather than the scent of the ground disturbance they have left.

The results of the study are being analysed at the moment and a full report will go to all Police Forces as soon as the analysis is complete, which is expected within three months.

Essex Police

Mr. Bob Russell: To ask the Secretary of State for the Home Department (1) what representations he has received over the future use of motor-cycles by the Essex Police Force; and if he will make a statement; [71038]

(2) if he will make a special grant to the Essex Police Force to enable the mounted section to be retained; [71041]

(3) what representations he has received over the future of the mounted section of the Essex Police Force; [71039]

(4) if he will make additional grants to the Essex Police Force to prevent cuts in services; and if he will make a statement. [71040]

Mr. Boateng: Funding of Essex Police in 1999–2000 will increase by £4.6 million (2.9 per cent.) to £163 million. This increase is above the national average. The allocation of resources within the Essex Police is a matter for the Chief Constable and the police authority, as are the use of motorcycles and the mounted section.

I received one representation from the Essex Police Authority about the proposed funding settlement for 1999–2000, which included reference to the consequences of the settlement for the mounted section and the future use of motorcycles by the Essex Police. I understand from the Chief Constable that his proposal to disband the mounted section is based upon their limited operational contribution to the modern day to day policing of Essex. Similarly, the continued use of motorcycles is under consideration as part of the force's drive for improved efficiency.

Mr. Bob Russell: To ask the Secretary of State for the Home Department how many police officers were serving in the Essex Police Force on 31 December *(a)* 1992, *(b)* 1997 and *(c)* 1998; and what is the projected figure for 1999 excluding officers in that part of the Metropolitan Police area to be transferred to Essex. [71037]

Mr. Boateng: Information on police numbers is collected at the end of March and September. The figures for the period requested are set out in the table.

	Total officer strength
30 September 1992	2,929
30 September 1997	2,944
30 September 1998	2,903

Ministers have no direct control over police numbers. Under legislation passed by the previous Government in 1994, it is for the individual chief constables to determine the number of police officers in their force, on the basis of the resources made available to them. It is not, therefore, possible to provide a projection of the force's strength for 1999.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for the Home Department if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70477]

Mr. Straw: I refer my hon. Friend to "Civil Service Statistics 1998", a copy of which is in the Library.

Mr. Chaytor: To ask the Secretary of State for the Home Department what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70463]

Mr. Straw: Thirty-six posts were relocated from central London to Merseyside over the period January to August 1997.

The new Criminal Records Bureau will be established in Merseyside in 2000–2001 under the management of the United Kingdom Passport Agency and will employ up to 1,200 staff.

A total of 31,574 Home Office staff (59.7 per cent.) are located outside London and the South East (including 30,244 (66.5 per cent.) Agency staff).

Cassini Space Probe

Mr. Chaytor: To ask the Secretary of State for the Home Department what contingency plans he has for dealing with the effects of premature re-entry of the space probe Cassini. [70455]

Mr. George Howarth: The Home Office is the lead government department for satellite incidents. Arrangements are in place to track satellites and advise local authorities and emergency services of any possible impact in the United Kingdom so that local response arrangements can be activated.

Current advice is that the space probe Cassini is unlikely to collide with Earth and is still less likely to hit this country.

My officials will, however, continue to monitor the situation.

Immigration and Nationality Cases

Mr. Chope: To ask the Secretary of State for the Home Department how many immigration and nationality cases are currently being held in a work in progress store; and how many of these have been outstanding for more than *(a)* six months, *(b)* one year and *(c)* two years. [71369]

Mr. Mike O'Brien: Since 7 December 1998, outstanding immigration cases have been moved to a central Work in Progress Store, from where they will be allocated to caseworkers. New cases, and older cases which were deemed to require early consideration, are stored in a case allocation unit, awaiting allocation to caseworkers.

There are currently 104,356 cases held in the Work in Progress Store. Of these, 71,987 have been outstanding for more than six months; of these 50,150 have been outstanding for more than one year; and of these, approximately 37,500 have been outstanding for more than two years.

There are currently 12,736 cases held in the Cases Allocation Unit, of which 3,670 were awaiting action as at 4 December 1998.

In addition, there are approximately 92,000 citizenship applications. Of these, approximately 70,000 have been outstanding for more than six months; of these, 46,000 have been outstanding for more than one year; and of these, 3,000 have been outstanding for more than two years.

(Work in Progress is a broad term which may include work to be completed more easily and expeditiously than the more intractable claims.)

Mr. Chope: To ask the Secretary of State for the Home Department what is the latest date by which immigration and nationality cases currently in a work in progress store are planned to be passed to a case management unit. [71368]

Mr. Mike O'Brien: Our plans for dealing with Immigration and Nationality Directorate casework backlogs are set out in the Government's White Paper "Fairer, Faster and Firmer—A Modern Approach to Immigration and Asylum". Cases in the Work in Progress Store will be actioned consistent with those commitments.

Police Authorities (Legal Costs)

Mr. Chope: To ask the Secretary of State for the Home Department which police authorities in England Wales are currently funding in whole or in part the legal costs of serving or former police officers facing criminal charges. [71427]

Mr. Boateng: This information is not collected centrally. The funding of legal costs of police officers involved in criminal proceedings is entirely a matter for police authorities.

Racial Crime (Police Response)

Mr. Cohen: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the police response to crimes with a racial element. [69134]

Mr. Boateng: Several assessments have been made recently of this vital area of policing.

The Home Office Police Research Group's report "Policing Racially Motivated Incidents", published in November 1997, found variations in recording and processing procedures between forces, difficulties in applying the concept of racial motivation and poor understanding of relevant legislation. Of the cases where there was potential for further action, only just over a third resulted in a charge or caution.

The thematic report of Her Majesty's Inspectorate of Constabulary (HMIC) on police/community and race relations, "Winning the Race", which was published in October 1997, also registered concerns about levels of awareness within forces of what constituted a racial incident, about recording practices and procedures and about the quality of the police response to racial incidents. HMIC are currently completing their report of a follow-up inspection to assess progress.

Findings from the British Crime Survey published in April 1998—"Ethnicity and Victimisation: Findings from the 1996 British Crime Survey"—showed a considerable gap between crime incidents perceived to be racially motivated by victims and the number of incidents recorded by the police. While various factors mean that an exact match between the two sets of figures could not be expected, under-recording by the police appears to be a significant factor.

The Association of Chief Police Officers issued a good practice guide on the police response to racial incidents in April 1998 responding to those concerns and have set up a working group to consider further improvements, including standardising core recording requirements. A protocol has been agreed with the Crown Prosecution Service to ensure consistency in identifying cases with a racial motivation. We welcome the setting up of the Racial and Violent Crime Task Force in the Metropolitan Police Service.

The report of the Inquiry into matters arising from the death of Stephen Lawrence is expected shortly. The Inquiry's terms of reference require it to identify the lessons to be learned from the investigation and prosecution of racially motivated crime. We expect the Inquiry's report to provide a clear guide to further progress.

Voluntary Organisations (Crime Prevention)

Mr. Hoyle: To ask the Secretary of State for the Home Department what assessment he has made of the role of voluntary organisations as partners in combating crime and disorder. [69211]

Mr. Boateng: I believe that voluntary organisations have a vital role to play in tackling crime and disorder. This view is reflected in the fact that a wide range of voluntary bodies must be invited to participate in the work of the local crime and disorder reduction partnerships established by the Crime and Disorder Act 1998. Furthermore, guidance issued by the Home Office emphasises the importance of the voluntary sector's contribution to the crime and disorder audits and strategies which the local partnerships are currently engaged in producing.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for the Home Department if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70971]

Mr. Straw: The table gives the information available for each of the websites of my Department, its agencies and non-departmental public bodies. Figures are approximate where indicated. In no case was the expenditure higher than budgeted.

	Expenditure on setting up website	*Operation of website: cost per year (current)*	*Topics covered*	*Current average number of hits per month*	*Estimate expenditure for next 3 years: cost per year*
Home Office	£250	£7,500	The work of the Home Office	350,000	£12,500
Fire Service College	£4,000	Nil so far	The work of the Fire Service College	Not available	Not yet decided
Forensic Science Service	Less than £25,000	Not more than £60,000	The work of the Forensic Science Service	1,600	£150,000 first 2 years, then less than £100,000 p. a.
Prison Service (Prison Enterprise Services only)	Within the range £4,950 to £40,918	Included in setup costs	Sales Catalogue	155	Not available
UK Passport Agency	£900	£1,740	The work of the UK Passport Agency	17,600	£1,740
Commission for Racial Equality	£1,000	£5,000	Racial equality race issues	2,500	£10,000 in the first year then as current costs
National Criminal Intelligence Service	£700	£500	Organised crime, criminal intelligence	3,000	£3,000
Police Information Technology Organisation	£12,000	Included in setup costs	Police information technology	37,700	1999–2000: £12,000 2000–01: £5,000 2001–02: £5,00
Youth Justice Board	£250	Not in operation for more than a year	The work of the Youth Justice Board	Not available yet	£1,000

Does not include staff costs

Approximate figure

Exact figure commercial in confidence

Mr. Don Foster: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 December 1998, *Official Report*, column *604*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71010]

Mr. Straw: The total expenditure incurred: *(a)* by Home Office agencies is as follows:

	£
Prison Service	5,000
Fire Service College	46,045
Passport Agency	[1]118,000
Forensic Science Service	250,000

[1] Figure for April 1997 to end December 1998

Figures on publicity expenditure for all 34 Home Office Non Departmental Public Bodies can be obtained only at disproportionate expense.

(b) by the Central Office of Information is: £2,290,233.

Ministerial Visits

Mr. Gray: To ask the Secretary of State for the Home Department if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71336]

Mr. Straw: The constituencies I have visited in the course of my official duties in the past 12 months are listed in the table:

Date	*Constituency*
25 February 1998	Derby, South
3 March 1998	Enfield, Southgate
7 March 1998	Southport
10 March 1998	High Peak
11 March 1998	Feltham and Heston
20 March 1998	Blackburn
2 April 1998	Salford
21 April 1998	North-East Hampshire
28 April 1998	Birmingham, Perry Barr
28 April 1998	Birmingham, Edgbaston
29 April 1998	Southwark, North and Bermondsey
30 April 1998	Elmet
11 May 1998	Oxford, West and Abingdon
12 May 1998	Mole Valley
12 May 1998	Oxford, West and Abingdon
19 May 1998	Portsmouth, South
20 May 1998	Bournemouth, West
16 July 1998	Worcester
21 July 1998	Mitcham and Morden
23 July 1998	Windsor
1 September 1998	Swansea, East
1 September 1998	Swansea, West
1 September 1998	Aberavon
3 September 1998	Birmingham, Ladywood
3 September 1998	West Bromwich, West
3 September 1998	Burton
3 September 1998	Newcastle-under-Lyme
8 September 1998	Uxbridge
8 September 1998	Ealing, Southall
9 September 1998	Lewisham, East
15 September 1998	Henley
15 September 1998	Bristol, West
16 September 1998	Bristol, East
16 September 1998	Bristol, West
22 September 1998	Tyne Bridge
22 September 1998	Leeds, Central
8 October 1998	Coventry, South
13 October 1998	Erith and Thamesmead
27 October 1998	Blackpool, South
19 November 1998	Ashfield
19 November 1998	Bolsover
19 November 1998	Hyndburn
25 November 1998	Chingford and Woodford Green
12 January 1999	Camberwell and Peckham
18 January 1999	Falmouth
22 January 1999	Cardiff, Central
22 January 1999	Cardiff, South and Penarth
22 January 1999	Oxford, West and Abingdon
28 January 1999	Eastleigh
1 February 1999	Harrogate and Knaresborough

Additionally, I have visited a number of constituencies in central and inner London in the normal course of my duties.

A number of minor or incidental meetings and engagements may also have been undertaken in other constituencies to and from the engagements specified above. We do not have a complete record of these.

Persistent Young Offenders

Mr. Maclean: To ask the Secretary of State for the Home Department for what reasons the upper limit to nullify the effects of unusually lengthy cases used in the time intervals surveys conducted by the Lord Chancellor's Department was not used in the calculation of his benchmark figure of 142 days from arrest to sentencing for persistent young offenders; and if he will estimate the impact on that figure of using such a limit. [70811]

Mr. Boateng: The benchmark figure of 142 days from arrest to sentence in persistent young offender cases was calculated on the basis of a special exercise, which drew a sample of cases from the Police National Computer (Phoenix). Phoenix does not exclude cases on the basis of their length. The Government's pledge is to halve the time from arrest to sentence for all persistent young offenders. A minority of cases may be protracted for reasons outside the control of case management, such as the illness of the defendant or a key witness. However, it is essential that unnecessary delay should be removed from all cases, regardless of their complexity or the exceptional circumstances that may arise. For that reason, the Government consider it appropriate for the benchmark figure to be based on all cases.

Non-domestic Animals (Welfare)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what plans he has to ensure that *(a)* chimpanzees and *(b)* other non-domestic animals in private ownership are not maltreated. [70887]

Mr. George Howarth: All non-domestic animals in private ownership are protected by the Protection of Animals Act 1911, under which it is a criminal offence to ill-treat or cause any unnecessary suffering to any captive animal.

In addition, there is legislation for the keeping of these animals in certain circumstances. The Performing Animals (Regulation) Act 1925 gives local authorities and the police the power to enter at all reasonable times and inspect any premises in which performing animals are kept for training or exhibition, and to inspect those animals.

The Dangerous Wild Animals Act 1976 makes it an offence to keep certain animals, listed in a Schedule to the Act, without a licence from the local authority. Before issuing a licence the authority should be satisfied that suitable standards of health, welfare and accommodation for the animal will be provided.

Under the Zoo Licensing Act 1981, all zoos must be licensed by the local authority. Inspections are carried out to ensure that the standards of accommodation, staffing or management are adequate for the proper care and well-being of the animals.

PRIME MINISTER

Special Advisers

Mr. Livingstone: To ask the Prime Minister (1) how many of the special advisers appointed since 1 May 1997 were known personally by the Minister for whom they worked prior to their appointment; [69653]

(2) how many of the special advisers appointed between 1 May 1992 and 30 April 1997 were known personally by the Minister for whom they worked prior to their appointment. [69655]

The Prime Minister: Special Advisers are appointed under terms and conditions set out in the "Model Contract for Special Advisers". Their appointments are made personally by the appointing Minister, on behalf of the Crown. As is the case with appointments under the previous Administration, special advisers will often have worked with or have been known to the appointing Minister before appointment. Their appointment terminates automatically when there is a change of Government.

Ministerial Travel

Mr. Maples: To ask the Prime Minister what was the total cost incurred by his predecessor in the financial year 1996–97 for the use of RAF and chartered aircraft. [69379]

The Prime Minister *[holding answer 8 February 1999]:* The total cost incurred by my predecessor in the financial year 1996–97 for the use of RAF and chartered aircraft was £233,872. This is part of the total expenditure of £7.8 million on overseas visits by Ministers under the previous Administration for 1996–97 and compares with expenditure of £6.1 million by this Government in the year 1 May 1997 to 31 March 1998.

Mr. Maples: To ask the Prime Minister how many of the people listed in his answer of 19 November 1998, *Official Report*, columns *743–44*, as accompanying him to Washington in February 1998 were *(a)* ministers, *(b)* permanent career civil servants, *(c)* temporary civil servants, special advisers and political appointees, *(d)* journalists paying their own fares, *(e)* businessmen paying their own fares and *(f)* others. [70233]

The Prime Minister *[holding answer 9 February 1999]:* I refer the hon. Member to the answer I gave to the hon. Member for Lichfield (Mr. Fabricant) on 13 March 1998, *Official Report*, columns *366–67*. No journalists or businessmen accompanied me on the visit. I also refer the hon. Member to the answer I gave to my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on 10 February 1999, *Official Report*, columns *283–84*.

Mr. Maples: To ask the Prime Minister how many of the people listed in his answer of 19 November 1998, *Official Report*, columns 743–44, as accompanying him to the G7 summit and UN General Assembly in June 1997 were *(a)* ministers, *(b)* permanent career civil servants, *(c)* temporary civil servants, special advisers and political appointees, *(d)* journalists paying their own fares, *(e)* businessmen paying their own fares and *(f)* others. [70232]

The Prime Minister *[holding answer 9 February 1999]:* I refer the hon. Member to the answer I gave to the hon. Member for Arundel and South Downs (Mr. Flight) on 4 July 1997, *Official Report*, column *293*. Seventeen journalists accompanied me on the visit and paid their own fares. No businessmen attended.

I also refer the hon. Member to the answer I gave to my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on 10 February 1999, *Official Report*, columns *283–84*.

Mr. Maples: To ask the Prime Minister how many of the people listed in his answer of 19 November 1998, *Official Report*, columns *743–44*, as accompanying him to Japan in January 1998 were *(a)* ministers, *(b)* permanent career civil servants, *(c)* temporary civil servants, special advisers and political appointees, *(d)* journalists paying their own fares, *(e)* businessmen paying their own fares and *(f)* others. [70234]

The Prime Minister *[holding answer 9 February 1999]:* I refer the hon. Member to the answer I gave to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 17 February 1998, *Official Report*, columns *523–24*. Nineteen journalists accompanied me on the visit and paid their own fares.

I also refer the hon. Member to the answer I gave to my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on 10 February 1999, *Official Report*, columns *283–84*.

Mr. Gibb: To ask the Prime Minister when he plans to provide a substantive answer to the question from the hon. Member for Bognor Regis and Littlehampton of 25 January 1999, regarding ministerial Concorde flights (Ref. 67984). [71190]

The Prime Minister: I did so on 10 February 1999, *Official Report*, column *283*.

Ministerial Committee on Defence and Overseas Policy

Dr. Tonge: To ask the Prime Minister if he will list the members of the Ministerial Committee on Defence and Overseas Policy and publish the agendas of its meetings; and if he will make a statement on the circumstances under which other Ministers may be invited to participate in its meetings. [71052]

The Prime Minister: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Midlothian (Mr. Clarke) on 21 October 1998, *Official Report*, columns *1123–35*. Other Ministers are invited to attend meetings as and when business requires.

In accordance with long-standing practice adopted by previous Administrations I do not propose to publish the agendas of the Committee's meetings. These documents fall within the exemption for proceedings of Cabinet and Cabinet Committees under the Code of Practice on Access to Government Information.

Security Services

Mr. Baker: To ask the Prime Minister if he will make it his policy to allow members of the security services to plead a public interest defence in respect of any disclosure they may make. [70903]

The Prime Minister: The Government naturally keep legislation under review in the light of changing circumstances. However, they have no plans to undertake a formal review of the Official Secrets Act 1911.

The introduction of a public interest defence would mean that an officer in the security and intelligence agencies would be able to disclose sensitive information. Only after the information was released, and any damage done, would anyone else be able to make judgment on whether, in fact, the disclosure was in the public interest. There are clearly difficulties with such a proposal.

Staff of the security and intelligence agencies have, since 1987, been able to raise any concerns they have with the Staff Counsellor.

Iraq

Mr. Dalyell: To ask the Prime Minister what contacts took place during his visit to Amman on 8 February between Her Majesty's Government and Members of the Iraqi delegation; and if he will make a statement. [71426]

The Prime Minister: No contacts took place.

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 25 January 1999, *Official Report*, column *24*, on Iraq, when *(a)* the paper circulated by the Russians and *(b)* the French proposals will be discussed in the Security Council; and if he will make a statement. [69991]

The Prime Minister: The French and Russian proposals were discussed in the Security Council on a number of occasions during January.

On 30 January, the Security Council reached consensus on the next steps on Iraq when it agreed to establish panels to consider three crucial issues: weapons of mass destruction; the humanitarian situation; and Prisoners of War and other Kuwaiti property. The panels are expected to report back to the Security Council by mid-April.

Internal Market

Mr. Maclean: To ask the Prime Minister what percentage of total EU directives in force is currently under review under the Simpler Legislation for the Internal Market. [71147]

The Prime Minister: The Simpler Legislation for the Internal Market programme (SLIM) is aimed, as its name implies, at Single Market legislation. On 31 December 1998, 1193 Single Market Directives had been transposed into the domestic law of all Member States. This figure includes all Single Market Directives adopted and still in force since the beginning of the European Economic Community. Beginning in May 1996, SLIM reviews have covered around 3.25 per cent. of this legislation, in 14 different areas of activity.

The most recent two phases of SLIM have included reviews of electromagnetic compatibility, insurance, social security and company law legislation.

HEALTH

Noise-induced Hearing Loss

Mr. Cotter: To ask the Secretary of State for Health what research his Department is undertaking to assess the effects of noise-induced hearing loss on natural hearing deterioration through aging. [67479]

Mr. Hutton: None. The Department funds research and development to support its work on policy development and evaluation in health and social care. The Department also manages the National Health Service research and development levy which is used to support research and development of relevance to the National Health Service in hospitals, general practice and other health care settings, and to fund the NHS research and development programme. In addition, the Medical Research Council (MRC)—which receives most of its income via grant-in-aid from the Office of Science and Technology in the Department of Trade and Industry—funds medical research as part of the Government's funding of the science and engineering base. The MRC also funds basic research including the study of molecules and cells, genetics and infections and immunity (£158 millions per annum) which will inform research in this area.

Details of projects directly funded by the Department or supported through the NHS research and development levy can be found on the National Research Register (NRR). This is available in the Library and most medical libraries on CD Rom, and on the Internet: http://www.doh.gov.uk/nrr.htm. The NRR also contains many details of projects/trials funded by the MRC and other funders.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Health if he will publish his Department's collation and assessment of responses to each of the Government's public consultations. [69773]

Ms Jowell: The Department carefully analyses the responses to all consultation exercises it undertakes, and decisions are taken in the light of this assessment. We explain how decisions reflect our assessment of responses, but the decision to publish those assessments is made on a case-by-case basis.

Breast Feeding

Mr. Viggers: To ask the Secretary of State for Health what financial provision he has made for the promotion of breast feeding in the current financial year. [70148]

Ms Jowell: In England, the financial provision for the promotion of breastfeeding during 1998–99 is £140,000. This includes publicity expenditure on promoting breastfeeding and grants awarded under Section 64 of the Health Services and Public Health Act 1968 to voluntary organisations concerned with promoting breastfeeding. It does not include the incidental expenditure of those attending meetings to discuss the promotion of breastfeeding either within the Department or the National Health Service.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Health which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69956]

Ms Jowell: Of the Department's seven executive non-departmental public bodies, the Central Council for Education and Training in Social Work (CCETSW), the English National Board for Nursing, Midwifery and Health Visiting (ENB) and the Human Fertilisation and Embryology Authority (HFEA) publish the minutes of meetings. In none of these cases is this under a statutory requirement.

CCETSW and ENB publish the agendas of meetings and documents for those meetings. In neither case is this under a statutory requirement.

CCETSW, ENB, HFEA, the National Biological Standards Board, the National Radiological Protection Board and the Public Health Laboratory Service Board publish registers of members' interests in line with the commitment given in *Quangos: Opening the doors* (Cabinet Office, July 1998). The Medical Practices Committee will be publishing a register shortly. In none of these cases is this under a statutory requirement.

Dr. Tony Wright: To ask the Secretary of State for Health which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69974]

Ms Jowell: Of the Department's seven executive non-Departmental public bodies, the Central Council for Education and Training in Social Work (CCETSW) and the English National Board for Nursing, Midwifery and Health Visiting (ENB) admit members of the public to all board or committee meetings. In neither case is this under a statutory requirement.

CCETSW, ENB, and the Human Fertilisation and Embryology Authority (HFEA) hold public meetings. In none of these cases is this under a statutory requirement.

CCETSW, ENB, HFEA and the Medical Practices Committee (MPC) have lay or consumer representatives on their boards. Only HFEA does so under a statutory requirement. We have included those bodies which have members with consumer expertise, even if there is not a dedicated consumer place.

CCETSW, ENB, HFEA, MPC, the National Biological Standards Board, the National Radiological Protection Board and the Public Health Laboratory Service Board all operate some form of appeal or complaints procedure. In none of these cases is this a statutory requirement.

Dr. Tony Wright: To ask the Secretary of State for Health which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner. [69914]

Ms Jowell: All of the Department's seven executive non-Departmental public bodies have a statutory base. These are: the Central Council for Education and Training in Social Work (CCETSW), the English National Board for Nursing, Midwifery and Health Visiting (ENB), the Human Fertilisation and Embryology Authority (HFEA), the Medical Practices Committee (MPC), the National Biological Standards Board (NBSB), the National Radiological Protection Board (NRPB) and the Public Health Laboratory Service Board (PHLSB).

CCETSW, HFEA and MPC are already subject to investigation by the Parliamentary Commissioner. ENB, NBSB and NRPB will soon be subject to investigation by the Parliamentary Commissioner as they are due to be brought within his jurisdiction shortly by means of an Order in Council which goes before the Privy Council this month. PHLSB is subject to the jurisdiction of the Health Service Commissioner and is therefore excluded from the Parliamentary Commissioner's jurisdiction.

NHS Consultants

Angela Smith: To ask the Secretary of State for Health what written and oral representations or submissions he or his Department have received since May 1997 concerning NHS consultants working outside the NHS; and if he will make a statement on their contents. [70327]

Mr. Denham: Ministers and officials have received written and oral representations from many individuals, organisations and trust managers about National Health Service consultants. Departmental officials have also talked to a range of individuals and organisations in preparing to open negotiations with the British Medical Association on a new consultant contract, and these discussions have generated a variety of ideas and opinions. Negotiations opened in December.

Some representations have expressed concern about the time consultants spend on private practice and questioned their commitment to the NHS. Others have emphasised their hard work and dedication. Most consultants work very hard for the NHS. We are alert, however, to the possibility of conflicts of interest where consultants work outside the NHS. We want to modernise their contract to ensure that the skills and commitment of consultants are priorities and goals of the NHS and through this to resolve any apparent conflict of interest between private and NHS work.

Research (Human Tissue)

Dr. Kumar: To ask the Secretary of State for Health what assessment he has made of the effectiveness of the use of human tissue in drug research; and if he will make a statement. [70621]

Ms Jowell: The use of human tissue in drug research can provide valuable information, in combination with information from other studies, when assessing the quality, safety and efficacy of medicinal products. The use of human tissue in drug research, along with other screening tests, may also help pharmaceutical companies to select a drug from a range of developmental drugs for further development.

Dr. Kumar: To ask the Secretary of State for Health if he will list the institutions funded by the Government to carry out research using human tissue. [70622]

Ms Jowell: It is likely that each National Health Service provider, medical school, and some universities and other research institutes in receipt of research funding or research support funding will be undertaking research using human tissue (including blood and cells). The precise list would change all the time as research is commissioned and ceases. It is likely to include all large teaching hospitals and medical schools at most times.

Details of projects directly funded by the Department or supported through the NHS research and development levy can be found on the National Research Register (NRR). This is available in the Library and most medical libraries on CD Rom, and on the Internet: http://www.doh.gov.uk/nrr.htm. The NRR also contains many details of projects/trials funded by the Medical Research Council and other funders.

NHS Pay System

Mr. Blizzard: To ask the Secretary of State for Health if he will publish proposals to modernise the NHS pay system. [71710]

Mr. Denham: We have today published the paper "Agenda for Change—Modernising the NHS Pay System" which gives details of our proposals. Copies are available in the Library.

North and East Devon Health Authority

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 9 February 1999, *Official Report*, column *166*, concerning the judgment in R. v. North and East Health Authority, when he will complete his assessment of the implications of the case. [71408]

Mr. Hutton: We expect to complete our assessment following the decision on appeal.

Contraceptives

Mr. Chaytor: To ask the Secretary of State for Health what guidelines he has issued to general practitioners on the prescription of contraceptives to under-16 year olds. [70454]

Ms Jowell: Guidance on contraceptive services for young people, including those under 16, is contained in the Department's circular Health Circular (86)1/, Health Circular (Family Practitioner) (86)1/, Local Authority Circular (86)3, copies of which are available in the Library.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for Health what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70464]

Mr. Denham: The Department has a total of 4,896 staff, of whom 51 per cent. are based outside of London in some 40 offices throughout England. The Department underwent a major relocation exercise in 1993 when staff, mainly from London, were relocated to Leeds to establish the National Health Service Executive which now employs 652 people in Leeds. Around 50 staff in the NHS Estates Agency relocated from London to Leeds at the same time. The NHS Pensions Agency relocated to Fleetwood from Canons Park, London, in 1967. There are currently no plans for further relocation.

Mr. Chaytor: To ask the Secretary of State for Health if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70478]

Mr. Denham: The information requested is in the table. The Department has no employees in Scotland or Wales.

	Department (excluding Agencies)	*Medical Devices Agency*	*Medicines Control Agency*	*NHS Estates Agency*	*NHS Pensions Agency*	*Total*
East Midlands	29	0	1	0	0	30
Eastern	5	0	6	1	0	12
London	1,760	128	482	2	0	2,372
Merseyside	16	0	0	0	0	16
North East	122	0	0	1	0	123
North West	165	8	5	0	489	667
South East	230	10	10	4	0	254
South West	133	0	0	0	0	133
West Midlands	252	0	0	3	0	255
Yorkshire and Humberside	892	0	4	138	0	1,034
Total	3,604	146	508	149	489	4,896

Cold-related Illnesses

Mr. Chaytor: To ask the Secretary of State for Health if he will make a statement on the increase in admissions to hospital for cold-related illnesses during the winter months and the effect of this on the availability of hospital beds. [70448]

Mr. Hutton: The National Health Service came under intense pressure over the Christmas and New Year period as a result of flu and flu-like illness and respiratory disease. The Emergency Services Action Team will be identifying lessons to be learned for next winter and also feeding these into the National Beds Inquiry we have set up within the Department.

Mr. Chaytor: To ask the Secretary of State for Health if he will make a statement on the costs to the National Health Service of treating cold-related illnesses; and what measures he is taking to reduce these costs. [70451]

Mr. Hutton: Information is not collected on the cost to the National Health Service of treating cold-related illnesses. Information on treatments and costs are based on the treatment undertaken and not on the range of causes of the illness or disease.

The Department supports campaigns aimed at reducing the incidence of illness. One project which is related to cold conditions is "Keep Warm, Keep Well". As there are many influences on cold-related illness, this programme also involves the Departments of Social Security and the Environment, Transport and the Regions. The campaign is backed by Age Concern, England, Help the Aged and Neighbourhood Energy Action.

Mr. Chaytor: To ask the Secretary of State for Health (1) what *(a)* support and *(b)* advice his Department has offered to health authorities in respect of treating illnesses caused by cold and damp conditions in the home; [70449]

(2) what analysis his Department has made of *(a)* the extent of illness caused by cold and damp housing and *(b)* the cost to his Department of treating such illness. [70450]

Ms Jowell: The introduction of Health Improvement Programmes, through the White Paper "The new NHS", will bring all local players together to develop cross cutting plans to tackle the whole range of factors that cause ill health, of which cold and damp conditions in the home is one. These proposals encourage health authorities to take an overarching approach to addressing the health needs of their populations and are designed to produce overall improvements in health and reductions in inequalities.

The Government recognise that cold and damp housing and poor housing conditions generally can contribute to ill health. However, poor health can be influenced by a large number of causes other than housing. Poverty, unemployment and unhealthy lifestyles are examples of interacting factors that can have at least as great an effect. Therefore, it is not possible to establish or quantify links between specific housing conditions and ill health. As a result, nor is it possible to make estimates of National Health Service expenditure on ill health related to specific housing conditions.

Wheelchairs

Mr. Oaten: To ask the Secretary of State for Health what plans he has to extend the NHS wheelchair voucher scheme to cover powered wheelchairs. [71134]

Mr. Hutton: An evaluation of the powered wheelchair and voucher scheme initiatives was commissioned last year from the York Health Economics Consortium. The evaluation is expected to be completed in the spring. Any decision to extend the voucher scheme to include powered wheelchairs will be taken in the light of the consortium's recommendations.

Mr. Rodney Ledward

Mr. Howard: To ask the Secretary of State for Health when he expects to announce his decision on the holding of a public inquiry into the causes, consequences and implications of the conduct of Mr. Rodney Ledward. [71315]

Mr. Denham: We have decided to conduct an independent inquiry into the performance of Mr. Rodney Ledward. We shall make an announcement shortly on the terms of reference and membership of the inquiry panel.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Health if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70970]

Ms Jowell: The Department's internet site has information on a wide range of topics covering the Department's activities and policies including Departmental responsibilities and objectives, press releases, Ministerial team details, Chief Medical Officer information, and the full text of all Departmental circulars and some Departmental publications. The Medical Devices Agency (MDA) Internet site includes information on reporting adverse incidents and Year 2000 and medical devices. The Medicines Control Agency (MCS) internet site covers its structure and functions together with electronic copies of some publications. The NHS Pensions Agency (NHSPA) internet site targets over 11,000 NHS employers on the co-administration of the pension scheme. The NHS Estates web site also includes information on its structure and functions and the text of some circulars. Statistical data concerning the cost and usage of the web sites are as follows:

Web site	*Department*[1]	*MDA*	*MCA*	*NHSPA*	*NHS Estates*
Setup costs (£000)	8	2	—	32	—
Operation costs 1998–99 (£000)	[2]10	—	5	14	0.5
Average monthly hits	1,011,300	24,800	2,200	[3]1,100	25,000
Estimated expenditure 1999–2001 (£000)	[4]10	—	—	20	—
Estimated expenditure 2000–01 (£000)	11	—	—	14.5	—
Estimated expenditure 2001–02 (£000)	12	—	—	14.5	—

[1] The central Department internet site home page address is www.doh.gov.uk; the MDA is www.medical-devices.gov.uk; the MCA is www.open.gov.uk/mca/mcahome.htm; the NHSPA is www.nhspa.gov.uk

[2] This excludes the cost of the Department's CCTA foundation membership which partly covers web hotelling costs for the Department and MDA as well as other services

[3] The NHSPA internet site was launched on 23 December 1998, and this figure only reflects the first month of operation

[4] This is an estimated figure and may be amended in the light of Modern Government and Freedom of Information proposals in the future

The following information is available on the Department's non-departmental public bodies web sites on the Human Fertilisation and Embryology Authority (HFEA), National Radiological Protect Board (NRPB), Public Health Laboratory Service (PHLS) and National Biological Standards Board (NBSB)):

Web site	*FEA*	*NRPB*	*PHLS*	*NBSB*
Setup costs (£000)	6	—	22	4
Operation costs 1998–99 (£000)	—	—	—	2
Average monthly hits	3,500	20,000	110,000	13,500
Estimated expenditure 1999–2000 (£000)	10	—	—	2
Estimated expenditure 2000–01 (£000)	3	—	—	2
Estimated expenditure 2001–02 (£000)	3	—	—	2

Mr. Don Foster: To ask the Secretary of State for Health, pursuant to his answer of 16 December 1998, *Official Report*, column *560*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71009]

Ms Jowell: The information requested is given in the table.

£ million

	Estimated expenditure (since 1 May 1997)
(a) Non-departmental public bodies—public opinion research, television, radio and newspaper advertising	0.45
(b) The previously supplied total expenditure for television, radio and newspaper advertising during 1997–98 (£2.08 million) was all for work supplied by Central Office of Information. The total estimate for this work in 1998–99 has not yet been produced.	—

Diet (Mortality)

Mr. Jack: To ask the Secretary of State for Health if he will publish details of the risks of mortality assessed by his Department from the consumption of foodstuffs associated with incidence of cancer and cardiovascular illness for (i) men and (ii) women aged *(a)* 20, *(b)* 30, *(c)* 40, *(d)* 50, *(e)* 60 and *(f)* 65 years. [70088]

Ms Jowell: The detailed information on risk of mortality from cancer and cardiovascular disease that is associated with the consumption of individual foods is not available in the form requested. It is the balance of foods making up the whole diet that is important in determining risk rather than individual foods. Independent expert advice to Government on the Nutritional Aspects of Cancer and Cardiovascular Disease has been published in reports by the Committee on Medical Aspects of Food and Nutrition Policy in 1998 and 1994 respectively. These reports are available in the Library.

Smoking

Mr. Maclean: To ask the Secretary of State for Health how many cigarettes per day are smoked by the average smoker. [70692]

Ms Jowell: In England, in 1996–97, the average number of cigarettes smoked by adult smokers aged 16 and above was 15 a day.

Mr. Maclean: To ask the Secretary of State for Health how many adults in the United Kingdom were *(a)* cigarette smokers and *(b)* smokers of other tobacco products at the latest date for which figures are available. [70693]

Ms Jowell: The latest data relate to 1996–97, and show that amongst adults aged 16 and over in the United Kingdom: *(a)* 28 per cent. were cigarette smokers; *(b)* 3 per cent. were cigar smokers, and 1 per cent. were pipe smokers. Cigar and pipe smoking is mostly confined to men.

Dentistry

Mr. Gordon Prentice: To ask the Secretary of State for Health how many representations from hon. Members he has received about the implementation of the investing in dentistry scheme; how many hon. Members have sought meetings with him; and how many have taken place. [70882]

Mr. Denham: We have received 70 letters from hon. Members. I have not had any requests from hon. Members to meet me to discuss the investing in dentistry initiative.

Medical Staff (Violent Attacks)

Mr. Purchase: To ask the Secretary of State for Health what steps he is taking to deal with violent attacks on nurses, doctors and other medical staff. [69120]

Mr. Denham: Violence to staff in the National Health Service is unacceptable and will not be tolerated. The Government are planning a cross-government drive to reduce the incidence of violence against staff. This has the firm support of my right hon. Friend the Secretary of State for the Home Department, my right hon. and noble Friend the Lord Chancellor and my right hon. and learned Friend the Attorney-General. The campaign will be backed up by national guidelines for action, including prevention, prosecution, sentencing, good practice and challenging targets. The overarching message of this campaign will be that violence against NHS staff is unacceptable and the Government are determined to stamp it out.

SOCIAL SECURITY

Pensions

Mr. Field: To ask the Secretary of State for Social Security what estimates he has made, for each of the next five decades, of the increased cost to the National Insurance Fund of the increased rebates advocated in A New Contract for Welfare: Partnership in Pensions. [64949]

Mr. Timms: The estimated additional cost of the extra rebates because of State Second Pension is as follows:

£ billion (1998–99 prices)

	2010	*2020*	*2030*	*2040*	*2050*
Cost	0.9	1.4	2.1	2.9	4.1

The introduction of Stakeholder Pension schemes is expected to lead to higher levels of contracting out. It is estimated that for every million people who contract out, £0.7 billion would be lost in National Insurance contributions.

Mr. Austin: To ask the Secretary of State for Social Security if he will estimate the real cost to an employee on average earnings of the restoration of the earnings link to the basic state pension for *(a)* 2000, *(b)* 2010, *(c)* 2020, *(d)* 2030, *(e)* 2040 and *(f)* 2050, based on a growth in national income and average earnings of 1.5 per cent. per annum; and if he will estimate for the same years the real costs as they would be if the basic state pension was linked to prices and in the absence of the minimum income guarantee. [69193]

Mr. Timms *[holding answer 4 February 1999]:* The information is in the table.

Weekly contributions required by employees on average earnings to meet the cost of price and earnings upratings of national insurance fund benefits

	Price uprating of benefits and earnings limits		*Earnings uprating of benefits and earnings limits*	
Year	*£ per week*	*Percentage of all earnings*	*£ per week*	*Percentage of all earnings*
2000	29	7.5	30	7.6
2010	33	7.3	37	8.1
2020	34	6.4	46	8.7
2030	35	5.7	61	9.9
2040	32	4.5	73	10.2
2050	29	3.5	84	10.1

Notes:

1. The information is in constant 1998–99 price terms. However, costs can be met in a number of ways and the liability would not necessarily fall on employees.

2. Estimates assume 1.5 per cent. real earnings growth.

3. Means-tested benefit offsets have not been taken into account as they do not constitute part of the National Insurance Fund.

Source:

Estimates have been provided by the Government Actuary's Department

Mr. Field: To ask the Secretary of State for Social Security what will be, in each of the next five decades, the gross and net public expenditure costs of the proposals outlined in A New Contract for Welfare: Partnership in Pensions. [64948]

Mr. Timms: I refer my hon. Friend to the reply I gave him on 11 February 1999, *Official Report*, column *376*, which gives the gross and net public expenditure costs for State Second pension compared to SERPS. The public expenditure costs arising from the introduction of Stakeholder Pension schemes would be dependent on the level of take-up. The estimated cost of guaranteeing eligible pensioners an income of at least £75 a week is £265 million in 1999–2000.

Child Support Agency

Ms Rosie Winterton: To ask the Secretary of State for Social Security how many absent parents in each of the last three years filed returns with the Child Support Agency stating that they were self-employed. [70430]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Ms Rosie Winterton, dated 11 February 1999:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the self employed non-resident parents dealt with by Child Support Agency.

I am not able to provide all of the information in the precise format that you have requested, but have provided as much as is available.

Information relating to the number of self employed non-resident parents who have had a maintenance assessment is produced by the Analytical Services Division of the Department of Social Security.

The Department of Social Security Analytical Services Division publish quarterly a summary of statistics relating to child support, the latest report was published today and shows that at November 1998 36,500 maintenance assessment cases referred to self employed non-resident parents. The full report is available in the House of Commons library. Information for previous years and comparisons with the total live and assessed caseload are shown in the table attached.

We acknowledge that cases where the non-resident parent is self employed can be more difficult to progress, especially where the non-resident parent does not wish to co-operate. The key to assure early co-operation is by personal contact with our clients. By approaching clients at the initial stages of their assessment we aim to build a better relationship with them, address their concerns promptly and provide an improved level of service.

We have recently completed a pilot study in the South Western Business Unit, looking at how best to process self employed cases. Trials using dedicated staff dealing exclusively with the self employed have shown a marked reduction in processing time and an increase in the collection of maintenance. We intend to have specific sections, supported by accountants where necessary, in each of the other 5 front line Business Unit by March 1999 to deal exclusively with self employed customers.

The Welfare Reform and Pensions Bill published on 10 February 1999 contains a provision which allows the Inland Revenue to pass information about the earnings of a self employed non-resident parent where the Agency enquiries have failed to establish the facts. This will allow assessments to be made in a number of the most difficult cases.

Additionally, we have increased resources for our Client Helplines and the National Enquiry Line, extended our hours of opening to cover 8.00am to 8.00pm Monday to Friday and 9.00am to 5.00pm on Saturdays and carried out trials to greatly improve and increase clients' opportunities to secure a face to face service.

I hope this is helpful.

Maintenance assessments for self employed non-resident parents

	November 1996	*November 1997*	*November 1998*
Live and assessed caseload	545,900	694,500	864,400
Self Employed cases	21,100	28,900	36,500

Maintenance assessments for self employed non-resident parents

	November 1996	*November 1997*	*November 1998*
Self Employed cases as % of live and assessed caseload	4%	4%	4%

Minimum Wage

Ms Buck: To ask the Secretary of State for Social Security what estimate he has made of the effect of the introduction of the minimum wage on the number of family credit claimants where the main earner has gross weekly earnings of *(a)* under £40, *(b)* £40 to £79.99, *(c)* £80 to £119.99, *(d)* £120 to £159.99, *(e)* £160 to £199.99, *(f)* £200 to £249.99, *(g)* £250 to £300 and *(h)* £300 and over. [69750]

Angela Eagle: The information is in the table.

The impact of the introduction of the national minimum wage (nmw) on the distribution of gross weekly earnings of the main earner

Gross Earnings £ per week	*Above NMW level—no change in Family Credit (FC)*	*Below NMW level but on maximum FC. Earnings rise—no change in FC*	*Below NMW level. Earnings rise. FC falls (but by less than the increase in earnings)*	*Below NMW. Earnings rise—float families above the levels at which FC is payable*	*Total*
Under £40	25,500	3,500	5,000	1,500	37,500
£40—£79.99	118,000	61,000	70,500	5,500	256,000
£80—£119.99	113,000	—	60,000	8,500	182,000
£120—£159.99	94,000	—	35,000	5,000	134,000
£160—£199.99	93,500	—	12,000	2,500	108,000
£200—£249.00	70,000	—	2,500	2,500	75,000
£250—£299.99	16,500	—	—	500	16,500
£300+	2,000	—	—	—	2,000
Total	532,500	65,000	185,000	26,000	811,000

Notes:

1. Estimates based on a 5 per cent. sample of FC recipients and the 1995–6 Family Resources Survey uprated to 1999–2000 prices. Estimates calibrated to 1999–2000 FC forecast assuming FC continues throughout the year.
2. Estimates assume no restoration of earnings differentials above the minimum wage and no employment effects.
3. Analysis shows that partners earnings may also increase on introduction of the minimum wage
4. Estimates rounded to nearest 500. Totals may not sum owing to rounding. (—) indicated a figure of less than 250.

Pneumoconiosis

Mr. Clapham: To ask the Secretary of State for Social Security (1) how many working miners are in receipt of a disability pension for pneumoconiosis; [69930]

(2) how many former mineworkers are in receipt of a disability pension for pneumoconiosis; and how many cases were made an award in the last year for which figures are available. [69929]

Mr. Bayley: The information is not available in the format requested. Such information as is available is as follows.

At 5 April 1997 there were approximately 7,700 awards[1] of Industrial Injuries Disablement Benefit (IIDB) in payment in respect of pneumoconiosis (prescribed disease D1) where the attributable industry was coalmining. In the 1997–98 year there were 229 new awards[2] for pneumoconiosis made where coal was the attributable agent. It is not known how many of these people may still be employed in the industry.

[1] Figures based on a 10 per cent. sample of IIDB assessments in GB, which includes an adjustment for late statistical returns.

[2] Figure from 100 per cent. data of new diagnoses

Source:

DSS (Analytical Services Division).

Mr. Clapham: To ask the Secretary of State for Social Security how many posthumous awards were made for pneumoconiosis in the last year for which figures are available broken down by *(a)* age, *(b)* degree of disability and *(c)* coalfield area. [69931]

Mr. Bayley: The information is not available and could be obtained only at disproportionate cost.

Vibration White Finger

Mr. Clapham: To ask the Secretary of State for Social Security (1) how many former mineworkers are in receipt of a disablement assessment for vibration white finger; and in how many cases an assessment was made in the last year for which figures are available; [69926]

(2) how many former mineworkers are in receipt of a disablement pension for vibration white finger; and how many pensions were awarded for the disease in the last year for which figures are available. [69927]

Mr. Bayley: The information is not available in the format requested. Such information as is available is as follows:

At 5 April 1997 there were approximately 1,000 awards[1] of Industrial Injuries Disablement Benefit (IIDB) in payment due to vibration white finger, where the attributable industry was coalmining.

In the year 1997-98 there were 183 assessments[2] made where coalmining was the attributable industry, above the disablement threshold for payment (14 per cent.) which would have resulted in payment of benefit. There were 2,175 new assessments[2] which were below the disablement assessment threshold for payment (14 per cent.). Some of these may have been aggregated with another prescribed disease, but would not in themselves have attracted a benefit award. It is not known how many of these people may still be employed in the mining industry.

[1] Figure based on a 10 per cent. sample of IIDB assessments in GB, which includes an adjustment for late statistical returns.

[2] Figures from 100 per cent. data on new diagnosis.

Source:

DSS (Analytical Services Division).

Asbestosis

Mr. Clapham: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women, broken down by occupation, (i) are in receipt of a disablement pension for asbestosis and (ii) were made an award in the last year for which figures are available. [69932]

Mr. Bayley: The Information is not available in the format requested. Such information as is available is in the table.

Industrial Injuries Disablement Benefit—newly diagnosed awards of asbestos-related diseases in the period 1 April 1997 to 31 March 1998

	All	*Men*	*Women*
All Occupations	1,030	1,008	22
Corporate managers	2	2	0
General managers	1	1	0
Physical, mathematical and engineering science professionals	3	3	0
Other professionals	1	1	0
Physical and engineering science associate professionals	17	17	0
Life science and health associate professionals	1	0	1
Teaching associate professionals	1	0	1
Office clerks	4	2	2
Personal and protective services workers	6	4	2
Extraction and building trades workers	280	279	1
Metal, machinery and related trades workers	301	299	2
Precision, handicraft, printing and related trades workers	52	51	1
Other craft and related trades workers	38	35	3
Stationary plant and related trades workers	97	96	1
Machine operators and assemblers	43	37	6
Drivers and mobile plant operators	69	69	0
Sales and services elementary occupations	14	12	2
Agricultural, fishery and related labourers	2	2	0
Labourers in mining, construction, manufacturing and transport	97	97	0
Armed forces	1	1	0

Notes:

1. Figures are not available by occupation or attributable agent for the total numbers of people receiving benefit related to asbestos.

2. Asbestos related diseases that are prescribed for the purpose of Industrial Injuries Disablement Benefit are Pneumoconiosis (prescribed disease D1), where the attributable agent is asbestos, Diffuse mesothelioma (prescribed disease D3), Carcinoma of the lung (prescribed disease D8) and Bilateral diffuse pleural thickening (prescribed disease D9). The table shows the new diagnosis for benefit purposes of these asbestos-related diseases, which have attracted an award of benefit in the 1997–98 year, by gender and occupation.

Source:

DSS (Analytical Services Division). Figures based on 100 per cent. data.

Electron Microscopes

Mr. Skinner: To ask the Secretary of State for Social Security what assessment he has made of the accuracy of electron microscopes employed for purposes of assessing the presence of asbestos fibres in lung tissue; and if he will make a statement. [70185]

Mr. Bayley: This Department does not use electron microscopes for assessing the presence of asbestos fibres in lung tissue. The accuracy of electron microscopes is a matter for the providers of any such microscopy service.

Special Medical Boards (Correspondence)

Mr. Skinner: To ask the Secretary of State for Social Security on how many occasions hon. Members have written to his Department about individual findings of special medical boards since 1986. [70181]

Mr. Bayley: The information is not available.

Bronchitis and Emphysema

Mr. Clapham: To ask the Secretary of State for Social Security how many claims have been received from former mineworkers claiming for chronic bronchitis and emphysema since *(a)* 13 September 1993 and *(b)* April 1997; and how many awards were made over the period broken down by (i) age, (ii) degree of disability and (iii) coalfield area. [69934]

Mr. Bayley: The information is not available in the format requested. Such information as is available is set out as follows.

Claims to industrial injuries disablement benefit for chronic bronchitis and emphysema received between 13 September 1993 and 31 March 1996, by BA area directorate

Benefits Agency directorate	*Claims received*
Anglia	27
Chilterns	24
South London and Wessex	—
West Country	163
East London and Essex	43
South East	507
Wessex	1
East Midlands	6,266
Midlands and South West	680
West Mercia	3,870
Wales	10,354
Merseyside	539
Greater Manchester	355
Lancashire and Cumbria	2,377
Tyne Tees	7,540
South Yorkshire and Humberside	7,202
North and West Yorkshire	3,103
Glasgow and Paisley	252
North, Central and West Scotland	1,954
East Scotland	2,484
Total Great Britain	47,741

Claims to industrial injuries disablement benefit for chronic bronchitis and emphysema received between 13 September 1993 and 31 March 1996, by BA area directorate

Source:

DSS (Analytical Services Division) data from Benefits Agency "BREM" and Central Data Unit. 100 per cent. data, which are provisional and subject to amendment.

Claims to industrial injuries disablement benefit for chronic bronchitis and emphysema between 1 April 1996 and 31 December 1998 by BA area directorate

Benefits Agency directorate	*1 April 1996 to 1 April 1997*	*9 April 1997 to 31 December 1998*
East London and Anglia	7	22
Chilterns	2	15
London South	12	721
West Country	12	93
Mercia	524	11,137
West Midlands	31	978
Wales	693	7,950
North West Coast	65	819
Greater Manchester	97	1,408
Yorkshire	605	8,045
Tyne Tees	279	5,216
West of Scotland	34	1,514
East of Scotland	94	4,007
Total Great Britain	2,455	41,925

Note:

The Benefits Agency area directorates were reorganised with effect from April 1996

Source:

DSS (Analytical Services Division) data from Benefits Agency "BREM" and Central Data Unit. 100 per cent. data, which are provisional and subject to amendment.

Awards of industrial injuries disablement benefit for chronic bronchitis and emphysema by percentage disability between 13 September 1993 and 31 March 1996

	13 September 1993 to 1 October 1994			*2 October 1994 to 31 March 1996*		
	Percentage disability			*Percentage disability*		
Benefits Agency directorate	*14–24*	*25–34*	*Over 34*	*14–19*	*20–25*	*Over 25*
Anglia	0	0	3	0	0	0
Chilterns	0	3	1	0	0	0
South London and Wessex	0	0	0	0	0	0
West Country	1	0	2	0	3	0
East London and Essex	0	0	0	0	0	0
South East	4	3	25	0	0	2
Wessex	0	0	0	0	0	0
East Midlands	38	52	521	5	16	104
Midlands and South West	3	2	50	0	0	1
West Mercia	22	43	315	4	8	17
Wales	203	223	891	4	48	161
Merseyside	5	18	26	0	0	1
Greater Manchester	4	8	19	0	1	0
Lancashire and Cumbria	18	25	104	1	3	6
Tyne Tees	33	83	467	2	7	48
South Yorks and Humberside	57	96	620	3	15	87
North and West Yorkshire	61	65	294	1	3	23
Glasgow and Paisley	0	2	6	0	0	0
North, Central and West Scotland	3	12	45	0	0	4
East Scotland	1	10	83	1	1	7
Total Great Britain	453	645	3,472	21	105	461

Source:

DSS (Analytical Services Division) data from Benefits Agency "BREM" (for period 13 September 1993 to 1 October 1994) and Central Data Unit (for period 2 October 1994 to 31 March 1996). 100 per cent. data, which are provisional and subject to amendment.

Awards of industrial injuries disablement benefit for chronic bronchitis and emphysema between 1 April 1996 and 31 December 1998 by BA area directorates

	1 April 1996 to 31 March 1997 Degree of disability			*1 April 1997 to 31 March 1998 Degree of disability*			*1 April 1998 to 31 December 1998 Degree of disability*		
Benefits Agency directorate	*14–19%*	*20–25%*	*Over 25%*	*14–24%*	*25–34%*	*Over 34%*	*14–19%*	*20–25%*	*Over 25%*
East London and Anglia	0	0	0	0	0	0	0	0	0
Chilterns	0	0	0	0	0	1	0	0	0
London South	1	0	0	18	10	45	2	20	47
West Country	0	0	2	4	4	15	1	0	9
Mercia	2	14	69	137	192	1,733	7	35	477
West Midlands	0	0	2	7	17	109	1	1	10
Wales	4	11	39	207	264	1,178	37	108	474
North West Coast	2	0	5	36	24	80	3	9	56
Greater Manchester	1	12	5	20	33	154	10	24	86
Yorkshire	2	5	77	82	153	1,105	6	109	489
Tyne Tees	0	1	11	94	185	828	17	39	237
West of Scotland	0	0	0	39	48	189	12	6	20
East of Scotland	0	1	5	38	120	527	16	36	242
Total Great Britain	12	44	215	682	1,050	5,964	112	387	2,147

Notes:

1. Details of age and coalfield are not available and could be obtained only at disproportionate cost.
2. It is not known how many of these people may still be employed in the industry.
3. Details are provided by the Benefits Agency (BA) Area Directorates; it should be noted that the number of (and area covered by) these Directorates altered in April 1996.

Source:

DSS (Analytical Services Division) data from Benefits Agency "BREM" and Central Data Unit 100 per cent. data, which are provisional and subject to amendment.

Mr. Clapham: To ask the Secretary of State for Social Security how many posthumous awards for chronic bronchitis and emphysema have been made to former mineworkers since 13 September 1993 broken down by (i) age, (ii) degree of disability and (iii) coalfield area. [69887]

Mr. Bayley: The information is not available and could be obtained only at disproportionate cost.

Mesothelioma

Mr. Clapham: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women broken down by occupation are in receipt of a disablement pension for mesothelioma. [69928]

Mr. Bayley: The information is not available in the format requested. Such information as is available is as follows.

Industrial-Injuries Benefit—Current assessments of diffuse mesothelioma at 5 April 1997 by the industry attributable to the disease

Thousand

	All assessments	*Men*	*Women*
All Industries	0.7	0.7	—
Agriculture, hunting and forestry	—	—	—
Fishing	—	—	—
Mining and quarrying	—	—	—
Manufacturing	0.3	0.3	—
Electricity, gas and water supply	—	—	—
Construction	0.2	0.2	—
Wholesale and retail trade	—	—	—
Hotels and restaurants	—	—	—
Transport, storage and communication	0.1*	0.1*	—
Financial intermediation	—	—	—
Real estate renting and business activities	0.1*	0.1*	—
Public administration and defence; compulsory social security	—	—	—
Education	—	—	—
Health and social work	—	—	—
Other community, social and personal activities	[illegible]	[illegible]	—
Private households with employed persons	—	—	—
Extra-territorial organisations and bodies	—	—	—

Notes:

1. Figures based on a 10 per cent. sample of Industrial Injuries Disablement Benefit assessments in GB, which include an adjustment for late statistical returns.
2. The convention '—' means nil or negligible, and an asterisk indicates that a figure may be too small to be statistically reliable.
3. Details of occupation are not recorded on Industrial Injuries Disablement Benefit current mesothelioma assessments data.

Source:

DSS (Analytical Services Division)

Mr. Clapham: To ask the Secretary of State for Social Security how many posthumous awards for mesothelioma were made for *(a)* men and *(b)* women, broken down by occupation, who have died in the last year for which figures are available. [69933]

Mr. Bayley: The information is not available and could be obtained only at disproportionate cost.

Pensioners (Tax and Benefits)

Mr. Webb: To ask the Secretary of State for Social Security how many pensioners *(a)* pay income tax and receive a means-tested benefit, *(b)* pay income tax but do not received a means-tested benefit, *(c)* do not pay income tax but do receive a means-tested benefit and *(d)* do not pay income tax and do not receive a means-tested benefit and if he will break down the total by (i) sex, (ii) marital status and (iii) five year age bands. [69695]

Mr. Timms: The information is in the tables.

Thousand

	Single male pensioners	*Single female pensioners*	*Pensioner couples*	*All pensioner benefit units*
Pensioners paying income tax and receiving a means-tested benefit				
60–64	10	30	20	70
65–69	10	20	10	40
70–74	20	20	10	40
75–79	10	20	*	30
80+	10	20	*	30
Total	60	110	40	210
Pensioners paying income tax and not receiving a means-tested benefit				
60–64	90	170	840	1,100
65–69	110	140	520	770
70–74	100	160	350	610
75–79	60	100	190	360
80+	80	120	140	340
Total	440	690	2,040	3,170
Pensioners not paying income tax and receiving a means-tested benefit				
60–64	90	140	170	400
65–69	80	220	170	480
70–74	80	360	160	600
75–79	70	370	150	590
80+	120	570	130	820
Total	440	1,660	780	2,880
Pensioners not paying income tax and not receiving a means-tested benefit				
60–64	30	30	110	170
65–69	40	130	270	440
70–74	40	210	310	560
75–79	40	200	200	430
80+	50	310	150	510
Total	200	880	1,040	2,110

Notes:

1. Figures are given to the nearest 10,000 pensioner benefit units, although not necessarily accurate to that degree.

2. Figures of less than 5,000 pensioners are denoted by '*'.

3. Figures should be treated with caution since taxpaying status is not directly measured by the Family Resources Survey, but has been modelled to the 1997–98 tax system.

4. Pensioner benefit units are defined as single people aged 60 or over and couples (married or cohabiting) where at least one partner is aged 60 or over.

5. Taxpaying pensioner benefit units are defined as those where at least one individual in the benefit unit is modelled as liable to income tax.

Source:

The estimates are based on the 1995–96 Family Resources Survey and replicate those given in the answer of 5 November 1998, *Official Report*, columns 249–50. We anticipate that estimates based on the 1996–97 Family Resources Survey will be available after February 1999, as stated in the answer of 8 February 1999, *Official Report*, column 68.

Pensioner Claimants (Benefits)

Mr. Rammell: To ask the Secretary of State for Social Security what financial provision he expects to make in the financial year 1999–2000 for *(a)* administration of income support and *(b)* means-testing of social security benefits in relation to pensioner claimants. [70257]

Angela Eagle: Expenditure on the administration of Income Support for all client groups for 1999–2000 is estimated by the Benefits Agency to be £259.6 million. Of this total, it is estimated £71.3 million will be expenditure on the administration of pensioner cases.

Estimated programme expenditure for the main means-tested benefits claimed by pensioners for the period 1999–2000

£ billion

Benefit	*Amount*
Income Support (Minimum Income Guarantee)	4.0
Housing Benefit and Council Tax Benefit	5.5

Notes:

1. The figures on administrative costs exclude payment for postage, encashment charges, accommodation costs office service contracts, computer infrastructure charges and other central service costs. Information on these overheads apportioned by benefit is not routinely available.

2. Figures on programme expenditure are consistent with those published in the November 1998 Pre-Budget Report.

3. For the purposes of Income Support, Housing Benefit and Council Tax Benefit, the term "pensioner" refers to a single person aged 60 or over, or a couple where one or both members is aged 60 or over.

Benefits (Maladministration)

Mr. Rendel: To ask the Secretary of State for Social Security if he will list, for each of the principal benefits administered by his Department, *(a)* the number of claims for financial redress for maladministration, *(b)* the number of such claims which were successful and *(c)* the amount of compensation paid in each of the categories (i) loss of statutory entitlement, (ii) actual financial loss, (iii) delay and (iv) consolatory payments, for each of the last 10 years. [70195]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

Financial redress for maladministration paid for each of the principle benefits administered by the Department of Social Security in 1997–98

Type of benefit/ allowance	*Total number of successful claims*	*Compensation paid for loss of statutory entitlement £*	*Compensation paid for actual financial loss £*	*Compensation paid for delay £*	*Compensation paid for consolatory payments £*
Sickness Benefit	59	29,177	329	29,009	1,180
Invalidity Benefit	262	69,280	9,581	89,877	2,400
Incapacity Benefit	578	138,874	18,285	129,306	2,235
Retirement Benefit	796	641,169	23,421	212,668	5,600
Widows Benefit	186	150,324	5,382	70,424	150
Attendance Allowance	103	35,743	3,793	21,540	400
Disability Living Allowance	357	114,726	24,946	46,203	3,735
Invalid Care Allowance	110	64,265	474	15,749	1,325
Severe Disablement Allowance	1,856	43,793	572	311,694	0
Industrial Injury Disablement Benefit	125	107,813	10,786	47,078	1,250
Reduced Earnings Allowance/Severe Hardship Allowance	43	58,940	8,956	23,002	0

Financial redress for maladministration paid for each of the principle benefits administered by the Department of Social Security in 1997–98

Type of benefit/ allowance	*Total number of successful claims*	*Compensation paid for loss of statutory entitlement* £	*Compensation paid for actual financial loss* £	*Compensation paid for delay* £	*Compensation paid for consolatory payments* £
Child Benefit	1,649	105,321	15,157	2,426	150
Family Credit	307	116,451	4,989	1,861	0
Income Support	2,088	241,618	344,511	293,113	8,705
Jobseekers Allowance	654	21,237	60,820	1,105	490
War Pensions Allowance[1]	82	2,655	1,217	13,581	100

[1] Information relating to War Pensions Allowance is available in UK form only

Notes:

1. Departmental special payment arrangements were reviewed in 1996, and new categories of consolatory payments were introduced from April 1997. Data have been provided for 1997–98, which is the only complete financial year since the change.
2. Previous statistical data did not separately identify different categories of ex-gratia payments.
3. The number of claims made for financial redress for maladministration for previous years is unknown. Details are held only of those which were successful. However, fuller information is now being collected and will be available for the 1998–99 financial year, and future years.

Special Medical Boards (Respiratory Diseases)

Mr. Skinner: To ask the Secretary of State for Social Security if he will list the address of each special Medical Boarding Centre for Respiratory Diseases in the United Kingdom. [70175]

Mr. Bayley: The address of each Medical Boarding Centre where Respiratory Disease (RD) examinations are carried out is as listed. Claimants who are unable to travel are seen at their own home.

South West

Bournemouth Medical Services Examination Centre (MSEC)
20–28 Cotlands Road
Bournemouth
Dorset

Bristol MSEC
Disability Benefit Centre
Government Buildings
Flowers Hill
Brislington
Bristol

Exeter MSEC
Unit 4
Ground Floor
Killerton House
Park 5
Harrier Way
Exeter

Gloucester MSEC
Cedar House
Spa Road
Gloucester

Plymouth MSEC
Argosy House
Longbridge Road
Plympton

Truro MSEC
Pydar House
Pydar Street
Truro

Swindon MSEC
Spring Gardens West
Princes Street
Swindon

Wales

Cardiff
Government Buildings
St. Agnes Road
Gabalfa
Cardiff

Swansea
4th Floor
Grove House
3 Grove Place
Swansea

Bangor
Ty Clwyder
The rear of 339 High Street
Bangor

Wrexham
Ty Maylor
15–17 Grosvenor Road
Wrexham

Scotland

Glasgow MSC
Corunna House
29 Cadogan Street
Glasgow

Inverness MSEC
2 Baron Taylor Street
Inverness

Aberdeen MSEC
Atholl House
86–88 Guild Street
Aberdeen

Edinburgh MSEC
44 York Place
Edinburgh

Dundee MSEC
The Vine
Magdalene Yard Road
Dundee
Yorkshire
Barnsley MSEC
Joseph Locke House
Heelis Street
Barnsley
Bradford MSEC
43 Cheapside
Bradford
Doncaster MSEC
Crossgate House
Wood Street
Doncaster
Huddersfield MSEC
Crown House
Southgate
Huddersfield
Halifax MSEC
Crossfield House
St. James Road
Halifax
Keighley MSEC
Worthy House
Low Street
Keighley
Hull MSEC
Stanley Street
Springbank
Hull
Scarborough MSEC
Arundel Place
Scarborough
Leeds MSC
Government Buildings
Otley Road
Lawnswood
Leeds
Sheffield MSEC
Queen Street
Sheffield
Pontefract MSEC
Hirst Yard
Newgate
Pontefract
York MSEC
St. Denys Road
York
North West
Manchester MSC
Albert Bridge House
Bridge Street
Manchester
North East
Newcastle MSC
Arden House
Regent Centre
Regent Farm Road
Gosforth
Newcastle
Sunderland MSEC
2nd Floor
60 The Bridges
Sunderland
Durham MSEC
Elvet House
Hallgarth Street
Durham
East Midlands
East Midlands
Stoke MSEC
Ridgehouse Drive
Festival Park
Stoke on Trent
Nottingham MSEC
Chaddesdon House
77 Talbot Street
Nottingham
Chesterfield MSEC
Beetwell House
Beetwell Street
Chesterfield
South East
Euston MSEC
Euston Road
London
Canterbury MSEC
Nutwood House
Chaucer Road
Canterbury.

Industrial Injuries Disablement Benefit

Mr. Skinner: To ask the Secretary of State for Social Security if he will list the number of *(a)* applications for and *(b)* awards of disablement benefit for (i) chronic bronchitis and (ii) emphysema since 13 September 1993 in respect of coal miners (1) for the United Kingdom as a whole and (2) for each of the regional special medical boarding centres for respiratory diseases. [70179]

Mr. Bayley: Information is not available in the format requested. Such information as is available is set out in the tables.

New claims to industrial injuries disablement benefit for coal miners suffering from chronic bronchitis and emphysema received between 13 September 1993 and 31 March 1996, by BA area directorate

Benefits Agency Directorate	*Claims received*
Anglia	27
Chilterns	24
South London and Wessex	—
West Country	163
East London and Essex	43

New claims to industrial injuries disablement benefit for coal miners suffering from chronic bronchitis and emphysema received between 13 September 1993 and 31 March 1996, by BA area directorate

Benefits Agency Directorate	*Claims received*
South East	507
Wessex	1
East Midlands	6,266
Midlands and South West	680
West Mercia	3,870
Wales	10,354
Merseyside	539
Greater Manchester	355
Lancashire and Cumbria	2,377
Tyne Tees	7,540
South Yorks and Humberside	7,202
North and West Yorkshire	3,103
Glasgow and Paisley	252
North, Central and West Scotland	1,954
East Scotland	2,484
Total Great Britain	47,741

Source:

DSS (Analytical Services Division) data from Benefits Agency 'BREM' and Central Data Unit. 100 per cent. data, which are provisional and subject to amendment

New claims to industrial injuries disablement benefit for coal miners suffering from chronic bronchitis and emphysema between 1 April 1996 and 31 December 1998 by BA area directorate

Benefits Agency Directorate	*Claims received*
East London and Anglia	29
Chilterns	17
London South	733
West Country	105
Mercia	11,661
West Midlands	1,009
Wales	8,643
North West Coast	884
Greater Manchester	1,505
Yorkshire	8,650
Tyne Tees	5,495
West of Scotland	1,548
East of Scotland	4,101
Total Great Britain	44,380

Source:

DSS (Analytical Services Division) data from Benefits Agency 'BREM' and Central Data Unit. 100 per cent. data, which are provisional and subject to amendment

Awards of industrial injuries disablement benefit for coal miners suffering from chronic bronchitis and emphysema between 13 September 1993 and 30 September 1997 by special medical board

Medical Boarding Centres (GB)	*Number of awards (assessments of 14 per cent. or more disability)*
Swansea	323
Bristol	16
Cardiff	1,944
Glasgow	308
Edinburgh	51
Stoke on Trent	398
Leeds/Sheffield[1]	1,607
Manchester	240
Newcastle	1,493
London	6
Total Great Britain	6,386

Notes:

1. The special medical boarding centre at Sheffield transferred to Leeds in 1996.
2. Figures are not available separately for chronic bronchitis and emphysema, because they are prescribed as one disease (PD D12) for Industrial Injuries Disablement Benefit.
3. Claim figures for Industrial Injuries Disablement Benefit for chronic bronchitis and emphysema are not available for each of the boarding centres but are provided for Great Britain and for the Benefits Agency (BA) Area Directorate. These areas changed boundaries at April 1996 and this is reflected in the tables.
4. Details of special medical boards are not available for Industrial Injuries Disablement Benefit claims data and are available only for awards data until 30 September 1997.

Source:

DSS (Analytical Services Division) 100 per cent. data.

Mr. Skinner: To ask the Secretary of State for Social Security how many *(a)* applications for and *(b)* awards of disablement benefit in respect of coal miners suffering from pneumoconiosis there were for (1) the United Kingdom as a whole and (2) each of the special medical boarding centres for respiratory diseases in each year from 1988 to 1997. [70184]

Mr. Bayley: Information is not available in the format requested. Such information as is available is set out in the tables.

Industrial injuries disablement benefit

Number of special medical boardings during the year and number of awards for pneumoconiosis relating to the coal agent

Great Britain

	1988		*1989*		*1990*	
Medical boarding centre	*Boardings*	*Awards*	*Boardings*	*Awards*	*Boardings*	*Awards*
All Boards	1,042	299	1,061	339	896	344
Cardiff	228	47	278	73	155	46
Swansea	126	27	102	19	103	30
Glasgow	41	10	41	14	34	11
Stoke on Trent	79	18	74	24	50	23
Sheffield	338	119	364	147	358	150
Manchester	89	29	99	30	57	28
Newcastle	126	45	96	29	126	50
London	15	4	7	3	13	6

Great Britain

	1991		*1992*		*1993*	
Medical boarding centre	*Boardings*	*Awards*	*Boardings*	*Awards*	*Boardings*	*Awards*
All Boards	1,083	379	1,104	383	1,122	395
Cardiff	181	49	190	58	182	58
Swansea	112	18	108	21	82	22

Great Britain

Medical boarding centre	*1991* *Boardings*	*Awards*	*1992* *Boardings*	*Awards*	*1993* *Boardings*	*Awards*
Glasgow	62	19	41	6	44	10
Stoke on Trent	70	31	55	17	69	27
Sheffield	424	174	521	221	502	205
Manchester	63	28	64	24	51	12
Newcastle	158	54	112	34	177	58
London	13	6	13	2	15	3

Great Britain

Medical boarding centre	*1994* *Boardings*	*Awards*	*1995* *Boardings*	*Awards*
All Boards	1,563	583	n/a	384
Cardiff	153	56	n/a	58
Swansea	89	19	n/a	17
Glasgow	18	5	n/a	4
Edinburgh	23	6	n/a	5
Stoke on Trent	89	47	n/a	17
Sheffield	462	274	n/a	217
Manchester	63	28	n/a	21
Newcastle	648	141	n/a	43
London	18	7	n/a	2

Great Britain

Medical boarding centre	*1996* *Boardings*	*Awards*	*1997 1 January to 30 September only* *Boardings*	*Awards*
All Boards	n/a	322	n/a	148
Bristol	n/a	3	n/a	2
Cardiff	n/a	46	n/a	40
Swansea	n/a	25	n/a	8
Glasgow	n/a	7	n/a	5
Stoke	n/a	14	n/a	20
Leeds	n/a	172	n/a	25
Manchester	n/a	22	n/a	14
Newcastle	n/a	33	n/a	33
London	n/a	—	n/a	1

Notes:

1. Figures are not available specifically for the coal mining industry, but are available for Great Britain, where coal has been the attributable agent for pneumoconiosis.

2. Figures are not available on applications by special medical boarding centre. They are available up to 1994 for applications that reach the examination stage.

Source:

DSS (Analytical Services Division) 100 per cent. data.

Disablement Benefit

Mr. Skinner: To ask the Secretary of State for Social Security if he will list the number of *(a)* applications for, and *(b)* awards of disablement benefit in each of the years 1988 to 1997 for (1) the United Kingdom as a whole and (2) each of the special medical boarding centres for respiratory diseases for (i) asbestosis, (ii) mesothelioma, (iii) lung cancer alone, (iv) lung cancer with accompanying bilateral diffuse pleural thickening, (v) lung cancer with accompanying unilateral diffuse pleural thickening, (vi) lung cancer with pleural plaques, (vii) bilateral diffuse pleural thickening alone, (viii) unilateral diffuse pleural thickening alone and (ix) pleural plaques alone. [70183]

Mr. Bayley: Information is not available in the format requested. Such information as is available has been placed in the Library.

Special Medical Boards

Mr. Skinner: To ask the Secretary of State for Social Security what are the criteria for appointment to the special medical boards for respiratory diseases. [70176]

Mr. Bayley: Doctors appointed to special medical boards for respiratory diseases must hold full registration with the General Medical Council. They must have not less than five years' post-registration experience in a clinical field relevant to disability assessment, and have successfully completed an appropriate training course in disability analysis, assessment of disablement arising from industrial injuries and prescribed industrial diseases, and in interpretation of chest x-rays and relevant pulmonary function tests.

Mr. Skinner: To ask the Secretary of State for Social Security if he will give for each year since 1985 the number of *(a)* appeals and *(b)* successful appeals against decisions of special medical boards for respiratory diseases. [70182]

Angela Eagle: The information is not available in the form requested. Such information as is available is in the table.

Appeals heard and decided

Year	*Total*	*Decided in appellant's favour*	*Percentage in appellant's favour*
1991	469	158	33.7
1992	690	185	26.8
1993	881	291	33.0
1994	1,001	321	32.1
1995	1,178	277	23.5
1996	1,302	448	34.4
1998	1,096	280	25.5

Notes:

1. Data for the years 1985 to 1990 are not available.

2. Data for central collection in 1997 were not provided by the Medical Regions owing to internal re-structuring within ITS.

Source:

The Medical Appeal Tribunals which have been registered with the Independent Tribunal Service (ITS).

Benefit Payments

Ms Harman: To ask the Secretary of State for Social Security (1) what plans he has to consult those involved in the issue of tackling domestic violence on the question of split benefit payments; [70535]

(2) what plans he has to pay benefits so that men receive payments in respect of their entitlements only and women receive payments in respect of the entitlements of themselves and their children. [70539]

Angela Eagle: We have commissioned research into the current financial roles and responsibilities of couples on benefit to determine whether any changes to the existing arrangements for paying benefit are needed to support Welfare to Work. The final report on this research will be published.

We have no plans to consult with any organisation tackling domestic violence at this stage, but it may be appropriate to do so in the future.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for Social Security what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70459]

Angela Eagle: Over many years this Department has had a policy of locating offices in the regions of the United Kingdom with the highest levels of unemployment. The Benefits Agency has relocated work from London to three processing centres in Glasgow, Makerfield and Belfast; and when the Child Support Agency was set up, its six processing centres were located in areas of high unemployment.

There are no immediate plans for further decentralisation.

Mr. Chaytor: To ask the Secretary of State for Social Security if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70473]

Mr. Timms: The information is available in the "Civil Service Statistics 1998", which is placed in the Library of the House.

Incapacity Benefit (Appeals)

Dr. David Clark: To ask the Secretary of State for Social Security (1) if the piloted changes to the composition of appeal tribunals for incapacity benefit are to be introduced nationally; [70558]

(2) what is the current average time before appeals are heard by appeal tribunals in relation to incapacity benefit. [70559]

Angela Eagle: The current average delay in hearing all appeals, including those on Incapacity Benefit, is seven months. This is clearly unacceptable and we are committed to improvements. Changes will be introduced in the second half of this year, under the provisions of the Social Security Act 1998.

One change will be to move away from the rigid requirement of a three person tribunal in every case to a more flexible approach, where the tribunal will be made up of people with the expertise to consider the issues in each appeal. Appeals on Incapacity Benefit will be heard by a lawyer and a doctor.

We will be bringing the necessary regulations to the House shortly.

During the passage of the Social Security Bill through the Lords, we introduced an amendment at the request of the President of the Independent Tribunal Service, His Honour Judge Michael Harris, to allow the early introduction of flexible tribunal composition in Social Security appeal tribunals. Judge Harris has used this power to allow appeals on Incapacity Benefit to be heard by a lawyer, assisted by a doctor. This has allowed him to test out the arrangements for more flexible tribunal composition.

Early indications are that the new flexibility appears to be working well. Tribunal chairmen operating the new arrangements are reporting overall improvements in service as a result of the change. There is no evidence to suggest that the percentage of appeals upheld has been affected by the introduction of the new arrangements.

Pensions Schemes

Mr. Maclean: To ask the Secretary of State for Social Security how many *(a)* personal pension plans and *(b)* occupational pension schemes are currently held in the United Kingdom. [70694]

Mr. Timms: There are 10 million personal pension plans, but some plan holders have more than one plan. There were 155,367 occupational pension schemes in the United Kingdom as at March 1998. There are about 10.5 million people of working age in Great Britain who are members of occupational pension schemes.

National Insurance

Mr. Maclean: To ask the Secretary of State for Social Security what estimate he has made of the number of individuals who will be affected by the abolition of the employee entry rate in national insurance contributions; and what will be the average cost per individual. [70689]

Mr. Timms: Some 20 million people will pay an average of nearly £70 a year less in National Insurance contributions as a result of the abolition of the employee entry fee in April 1999.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Social Security, pursuant to his answer of 17 December 1998, *Official Report*, columns *718–79*, (1) if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure; [71032]

(2) if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71033]

Mr. Timms: Task forces and review bodies do not incur any expenditure other than staffing costs, which are met from within existing Departmental running costs.

This Department's Headquarters expenditure on focus groups in general e.g. exploring attitudes of specific clients and/or staff groups, is as follows:

Year	*Amount* £
1997–98	110,000
1998–99[1]	190,000

[1] Estimated

The cost of publications and other publicity not included in the previous answer is as follows:

Total spend for year 1997–98

Business unit	*Total publicity cost (£)*
Benefits Agency	2,693,476
Contributions Agency	1,079,857
Child Support Agency	305,083
War Pensions Agency	—
Headquarters	1,858,917

Estimated spend for the year 1998–99

Business unit	*Total estimated publicity cost (£)*
Benefits Agency	3,4[illegible],579
Contributions Agency	1,585,888
Child Support Agency	238,984
War Pensions Agency	—
Headquarters	4,446,979

Non-departmental bodies do not incur expenditure on the items listed in my previous Answer.

Information for the Central Office of Information is not available as it is not possible to disaggregate the expenditure on relevant work carried out by the Central Office of Information from the total amount spent on publicity.

Mr. Don Foster: To ask the Secretary of State for Social Security if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70964]

Angela Eagle: The Department and its agencies use the Internet as one of a variety of methods to communicate with the public. The DSS website is updated regularly and includes separate webpages for the individual agencies and others. The website covers numerous topics and contains over 3,000 pages providing a range of information on benefits, complaints procedures and corporate documentation such as press releases, Ministerial speeches and Agency business plans.

Average number of hits per month on departmental websites

Agency	*Number*
Benefits Agency	294,018
Contributions Agency	166,578
Child Support Agency	66,945
Information Technology Services Agency	15,608
War Pensions Agency	10,190
Headquarters	295,417
Analytical Services Division	14,272
Lone Parent Information Service	55,688
Pensions Information	57,972
Working Benefit Information	17,646
Other corporate information	288,969
Central Adjudication Service	17,870
Independent Case Examiner	592
Industrial Injuries Advisory Council	105
Pensions Advisory Service (OPAS)	4,744
Women's National Commission	5,699
Total	1,312,313

	£000
Estimated set up costs	20
Current web service delivery costs[1]	27
Estimated expenditure: web service delivery costs[1]	
1999–2000	28.4
2000–01	29.8
2001–02	31.3
Estimated expenditure: DSS staff costs[1]	
1999–2000	210
2000–01	220.5
2001–02	231.5

[1] These costs are available only for the Department as a whole and are borne by the Information Technology Services Agency who undertake a corporate role with respect to DSS Internet service provision

Pensions Statements

Mr. Field: To ask the Secretary of State for Social Security if the annual pension statements proposed in the Green Paper "Partnership in Pensions" will include details of the predicted level of the minimum income guarantee at individuals' retirement age, and of predicted benefits receivable therefrom. [71305]

Mr. Timms: No. As outlined in the Green Paper, the purpose of the proposed statements is to give individuals simple, clear and understandable details of their current and projected State and private pension rights.

Income Support

Mr. Flynn: To ask the Secretary of State for Social Security what assumption was made about the number of pensioners and pensioner units in 2050 for the purpose of his estimates of the proportion likely to be receiving income support. [71480]

Mr. Timms: The estimates made of the proportion of pensioner units likely to be receiving Income Support in 2050 have been based on 1992-based population projections by marital status in 2022, from the Government Actuary's Department (GAD). These have been adjusted to 2050 using 1996-based population projections of the number of individuals from GAD. The assumed number of pensioner units in 2050 is approximately 11 million, with approximately 14.5 million individuals over state pension age.

Notes:

1. A pensioner unit is defined as a single pensioner at State pension age or above, or a couple in which the head is state pension age.

2. Figures have been rounded to the nearest 0.5 million.

Mr. Webb: To ask the Secretary of State for Social Security if a person has earnings of £9,000 per annum or less throughout their lifetime, retires in 2050 on the basic state pension and the state second pension, and lives for a further 20 years, at what point they will start to need income support to top up their income. [71157]

Mr. Timms: Our aim is that the Minimum Income Guarantee (MIG) should move in line with earnings over the long-term, as resources allow, but not necessarily in each single year. Consequently, it is not possible to answer the question with any precision.

On the assumption that the person referred to has no other sources of income or capital, and that the MIG moves in line with earnings between now and 2050 and for each single year following 2050, he or she would become eligible for Income Support some 5 years after reaching State pension age.

Mr. Flynn: To ask the Secretary of State for Social Security what estimate he has made of the increase in the number of pensioners receiving income support in March 2002 resulting from the minimum income guarantee, assuming that the guarantee is uprated in line with *(a)* prices and *(b)* average earnings. [71482]

Mr. Timms: The information is not available in the form requested. Such information as is available is as follows.

Uprating the Minimum Income Guarantee by prices using the Rossi index (RPI less housing costs) would not result in any new pensioner cases floating onto the Minimum Income Guarantee.

The increase in the number of pensioners receiving Income Support (IS) assuming the Minimum Income Guarantee is uprated in line with earnings is estimated to be 40,000 in 2000–01 and 90,000 in 2001–02.

Notes:

1. The estimates are based on Departmental forecasts of the number of pensioners on IS consistent with the CSR.

2. Figures have been rounded to the nearest 10,000.

3. The future estimates of the ROSSI and earnings indices are based on Treasury forecasts.

4. "Pensioners" in this reply refers to single people aged 60 or over, or couples where one or both members is aged 60 or over.

NIRS2

Mr. Rendel: To ask the Secretary of State for Social Security what estimate he has made of the saving to the Exchequer as a result of delays to and underpayment of benefits following problems with the new NIRS2 computer system. [71382]

Mr. Timms: The information is not available. The difference between the actual initial and emergency payments made to date and the eventual full awards for Retirement Pension, Widows Benefit, Incapacity Benefit and Jobseeker's Allowance currently cannot be calculated. The figure will be available only when all claims have been reviewed and underpayments or overpayments are known.

Mr. Rendel: To ask the Secretary of State for Social Security how many extra staff his Department *(a)* has had to employ and *(b)* expects to employ in future to deal with backlogs as a result of delays in the implementation of the NIRS2 system; and what estimate he has made of the cost of employing the extra staff. [71383]

Mr. Timms: The Department has to date not had to employ any extra staff as a result of the delays in their implementation of the NIRS2 system. However, both the Benefits Agency and the Contributions Agency are continuously reviewing the situation with regard to dealing with the backlogs and will employ extra staff only if deemed necessary.

Fraud

Mr. Rendel: To ask the Secretary of State for Social Security when he will publish the New Fraud Strategy, in response to the consultation on the Green Paper "Beating Fraud is Everyone's Business" (Cm 4012). [71309]

Mr. Timms: We will be publishing the strategy shortly.

Second Pension

Mr. Flynn: To ask the Secretary of State for Social Security if the state second pension will be calculated by reference to each year's earnings. [71483]

Mr. Timms: Yes.

Welfare to Work

Mr. Field: To ask the Secretary of State for Social Security at what intervals under the single gateway proposals *(a)* single mothers and *(b)* other claimants will be required to attend for interview as a condition of receiving benefit. [71304]

Angela Eagle: Interviews will be required both as part of the initial claiming process and on the occurrence of specified events thereafter. These events will be prescribed in Regulations in relation to each client group.

Ministerial Visits

Mr. Gray: To ask the Secretary of State for Social Security if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71347]

Mr. Darling: The information is in the table.

Date	*Constituency*
5 May 1998–6 May 1998	Belfast, West
12 May 1998	Regent's Park and Kensington, North
14 May 1998	Brighton, Pavilion
20 May 1998	Croydon, Central
10 June 1998	South Holland and The Deepings
22 June 1998	Newcastle
24 June 1998	Eastwood; Paisley, South; Glasgow, Kelvin; Glasgow, Rutherglen; East Kilbride
1 July 1998	Meriden

Date	*Constituency*
1 July 1998	Hornsey and Wood Green
1 July 1998	Dudley, South
16 July 1998	Torfaen
22 July 1998	Cambridge
23 July 1998	Vauxhall
29 July 1998	Southwark, North and Bermondsey
23 September 1998	Lewisham, West
24 September 1998	North- East Fife
25 September 1998	Eastwood
1 October 1998	Blackpool, North and Fleetwood
3 October 1998	Edinburgh, Central
13 October 1998	Glasgow, Kelvin
26 October 1998	Croydon, Central
6 November 1998	Dundee, West
13 November 1998	Dundee, West
27 January 1999	Hastings and Rye
10 February 1998	Southwark, North and Bermondsey

Note:

The period between 5 May 1998 up to 1 July 1998 were visits made by my right hon. Friend the then Secretary of State for Social Security.

WALES

Overseas Visits

Mr. Swayne: To ask the Secretary of State for Wales what overseas visits he has made since his appointment; and what the cost was of each visit. [69275]

Mr. Michael: I have made one overseas visit since my appointment, which was to Brussels on 7 and 8 January to meet European Commissioners at the invitation of Commissioner Neil Kinnock. I was accompanied by my Principal Private Secretary and the total cost was £762.

Welsh Joint Education Committee

Mr. Dafis: To ask the Secretary of State for Wales what representations he has received on restructuring the Welsh Joint Education Committee; and if he will make a statement. [69707]

Mr. Hain: In addition to a meeting with WJEC representatives on 13 May 1998, my right hon. Friend has received a small number of letters on this matter. We have the highest regard for the work of the WJEC. The qualifications it offers have an enviable reputation built on high standards maintained over many years. I expect that the WJEC will continue to make an important contribution towards raising educational standards in Wales.

Mr. Dafis: To ask the Secretary of State for Wales if he will list the meetings held between his Department and representatives of the Welsh Joint Education Committee since May 1998. [69708]

Mr. Hain: My right hon. Friend met the Chairman, the Senior Vice Chairman and the Chief Executive of the WJEC on 13 May 1998.

Departmental Officials

Mr. Robert Jackson: To ask the Secretary of State for Wales if he will list *(a)* the names of officials in his Department who are currently on secondment from private companies, *(b)* the companies by which they are employed and *(c)* their current responsibilities. [70043]

Mr. Michael: Central records are held on three such secondments but it is not our policy to identify individuals:

Company	*Current responsibilities*
BT	To provide assistance with the development of a programme to promote information and communication technologies in Wales
King Sturge	To provide assistance with the development and assessment of PFI (private finance initiative) contracts supported by the Department
Barclays Bank	Switchboard Operator

New Deal

Mr. Rowlands: To ask the Secretary of State for Wales if he will estimate the number of people in each of the various stages of the New Deal; and what assessment he has made of the impact of the New Deal on the unemployment count. [70067]

Mr. Hain: The latest statistics published by the Department for Education and Employment show that 7,900 young people were on the *New Deal for 18–24s* in Wales at the end of November 1998.

Within this total, 4,300 young people were in the Gateway and almost 3,400 were on an option, of whom about: 1,000 were in a subsidised job; 600 were in the Environment Task Force; 400 were in the Voluntary Sector Option; and 1,400 were in Full-Time Training and Education.

A further 200 people had completed their option and were receiving additional assistance to secure jobs as part of the Follow-through arrangements.

Between January and November 1998, almost 2,700 unemployed young people left the New Deal in Wales for an unsubsidised job. Between April 1998, when the *New Deal for 18–24s* was introduced throughout Wales, and October 1998 (the latest available data) unemployment amongst the client group fell by 34 per cent.

Goods Vehicles

Mr. Wigley: To ask the Secretary of State for Wales what is his assessment of the effect of allowing vehicles with an 11.5 tonne drive axle weight unrestricted access to trunk roads in Wales; and if he will make a statement. [69675]

Mr. Hain: The decision to allow 11.5 tonne drive axle vehicles unrestricted access to UK highways prompted the major programme of assessment and strengthening of structures which started in 1989.

All structures not known to be capable of safely carrying 11.5 tonne drive axle vehicles have been assessed and those needing immediate attention have already been strengthened at a total cost of about £25 million. The remaining trunk road supporting structures that still require strengthening will be strengthened over the next 5 years. In the meantime, they will be allowed to remain in unrestricted use but subject to an enhanced regime of regular inspection.

The trunk road network in Wales will become a responsibility of the National Assembly.

Private Patients

Mr. Wigley: To ask the Secretary of State for Wales if he will instruct NHS hospitals in Wales to restrict the numbers of non-urgent treatments of private patients. [70049]

Mr. Jon Owen Jones: NHS trusts already have considerable autonomy to determine the scope of any private practice. The proportion of patients treated privately in NHS hospitals in Wales is very low, approximately 0.5 per cent. of all NHS treatment.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Crickhowell House

Mr. Swayne: To ask the Secretary of State for Wales what will be the total expenditure on Crickhowell house to make it ready for the National Assembly. [70381]

Mr. Michael: The costs of making ready Crickhowell house are included in the estimate for establishing the Assembly stated in the Financial Memorandum to the Government of Wales Act 1998. Actual figures will be published as soon as they are available.

Local Education Authorities

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the number of people employed by the local education authorities of Wales, indicating separately *(a)* professional and *(b)* ancillary employees. [70918]

Mr. Hain: Information in the form requested is not available centrally. However, data on teachers and other people employed by local education authorities in 1998 are shown in the following table:

	Teachers (a)	*Education Others (b)*
Full-time	25,114	9,180
Part-time	3,649	28,885
Total	28,763	38,065

Notes:

(a) Provisional figures for January 1998, collected by Welsh Office. Includes all teachers and lecturers employed by local education authorities and educational psychologists. Excludes teachers employed in Grant Maintained schools.

(b) Figures produced by the Local Government Management Board as at September 1998. Includes school transport staff; youth and community workers; nursery assistants; administrative, secretarial and clerical staff in the education service; school caretakers; canteen and school playing field staff; non-teaching staff employed on careers guidance; library staff employed by libraries either located in or serving education establishments.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Mining

Mr. Barry Jones: To ask the Secretary of State for Wales how many people are employed in the mining industry in Wales; and if he will make a statement. [70916]

Mr. Hain: According to estimates from the Coal Authority there were 1,235 people employed in coal mining in Wales at September 1998.

The Office for National Statistics' Annual Employment Survey suggests that, at September 1996, there were less than 100 people employed in other mining activities in Wales.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Education Action Zones

Mr. Swayne: To ask the Secretary of State for Wales when he will begin consultations regarding the implementation of education action zones. [71149]

Mr. Hain: We expect this to be a matter on which the National Assembly for Wales will decide in due course.

Welsh Language

Mr. Swayne: To ask the Secretary of State for Wales what discussions he has had with headteachers and governors of schools in Monmouth regarding the compulsory teaching of Welsh at Key Stage 4; and if he will make a statement. [71166]

Mr. Hain: In accordance with statutory requirements, the Qualifications, Curriculum and Assessment Authority for Wales (ACCAC) consulted the headteacher and the governing body of Monmouth Comprehensive School on the proposal to lift the exemption from teaching Welsh to pupils at Key Stage 4 from September 1999. ACCAC considered the case put forward by the school and concluded that there were not sufficient grounds to warrant the further extension of the exemption granted in 1990. Accordingly, ACCAC recommended, in January 1998, that the exemption be lifted and that Welsh should be made a compulsory subject at Key Stage 4 from 1999.

My right hon. Friend the Secretary of State gave careful consideration to ACCAC's report and the case put forward by the school. He accepted ACCAC's recommendation and published, for comment, a draft Order giving effect to it. A copy of the draft Order was sent to the headteachers and governing body of Monmouth Comprehensive School. After careful consideration of the points made to him in response to the publication of the draft Order, my right hon. Friend concluded that no matters of substance arose which were not dealt with in ACCAC's report. An Order giving effect to ACCAC's recommendation came into force on 20 November 1998. This will bring Monmouth Comprehensive School into line with all other non-Welsh-speaking schools in Wales as regards the teaching of Welsh to pupils at Key Stage 4 from September 1999.

Housing Renovation

Mr. Wigley: To ask the Secretary of State for Wales if he will make available to local authorities in Wales his estimate of the minimum finance which each authority might expect to receive for housing renovation and repair, out of the all Wales fund for which initial bids are invited by 15 February; and if he will make a statement on the guidance which he plans to give to local authorities on the preparation of 1999–2000 housing budgets in advance of decisions on the total finance which will be available to them from his Department. [71354]

Mr. Jon Owen Jones: I cannot estimate the amount of resources which will be allocated to individual local authorities until their bids have been considered. I do not issue guidance on the preparation of housing budgets as these are matters for individual local authorities.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Mr. Wigley: To ask the Secretary of State for Wales by what date he plans to inform local authorities in Wales of their allocation from the all Wales fund for housing renovation for which they have been invited to bid; by what date the final bids have to be submitted by local authorities; and if he will list the criteria on which these bids will be assessed. [71351]

Mr. Jon Owen Jones: I intend to issue decisions on the allocation of the resources by the beginning of the next financial year. Final detailed bids must be with my Department by 12 March 1999. The criteria for assessment of bids will depend on the nature and priority of the scheme involved. Details are set out in my Department's letter of 25 January, a copy of which has been placed in the Library of the House.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Mr. Wigley: To ask the Secretary of State for Wales what assessment he has made of the total cost of renovations and repairs needing to be done to the housing stock of Wales *(a)* in the public rented sector, *(b)* in the voluntary rented sector and *(c)* in the private sector. [71352]

Mr. Jon Owen Jones: The latest estimates of the costs of repair are from the 1993 Welsh House Condition Survey. The available information is given in the following table.

The 1997–98 Welsh House Condition Survey is being completed. Information from this survey will be available later this year.

Estimated total cost of repair of occupied first homes,[1] by tenure, 1993

Tenure	*Total repair cost (£ million at 1993 prices)*
Rented from local authorities or Development Board for Rural Wales	244
Rented from housing associations	13
Rented from private landlords	153
Owner occupied	863
All tenures	1,273

Following the transfer of powers, these issues will be a matter for the National Assembly.

National Assembly

Mr. Win Griffiths: To ask the Secretary of State for Wales when he proposes to lay a draft Order making provision for the elections to the National Assembly for Wales; and if he will make a statement. [71682]

Mr. Michael: I am laying before the House today a draft of the National Assembly for Wales (Representation of the People) Order 1999; a draft will similarly be laid in another place. An earlier draft was subject to extensive consultation with political parties and other interested groups last year. Powers to make the Order are derived from section 11 of the Government of Wales Act 1998. It is subject to Affirmative Resolution procedure.

The draft Order makes comprehensive provision for elections to the National Assembly—my intention has been to produce an instrument which can be read without requiring reference to provisions in earlier legislation. The draft therefore incorporates, with modifications to fit the circumstances of the Assembly, provisions from the Representation of the People Acts 1983 and 1985, together with statutory instruments made under those Acts and other legislation, among the matters dealt with in this way are registration of voters, polling and counting arrangements, absent voting, voting offences, campaign offences and election petitions. The draft Order also, however, takes account of the new requirements of the Registration of Political Parties Act 1998 in relation to party nomination procedures and the use of party emblems on ballot papers, and the recommendations of the Neill Committee on the limitation of political parties' campaign expenditure at the all-Wales level.

For the assistance of the House I am making arrangements for a summary guide to the draft Order to be placed in the Libraries as soon as possible. Copies of illustrative examples of the ballot papers proposed for use in both the constituency and the regional elections have today been placed in the Libraries of the House. The format of the ballot papers takes account of comments received from focus groups of voters who were consulted on various designs; the ballot paper for the regional elections will contain the names of the candidates on each registered party's list, in accordance with undertakings given during the passage of the Government of Wales Act.

I propose, if both Houses of Parliament are content with the draft, to make this Order next month. The first formal stage of the elections process under the Order is publication of notices of elections. This is scheduled to take place no later than 26 March 1999.

Staff Travel

Mr. Baker: To ask the Secretary of State for Wales if he will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70960]

Mr. Michael: The Welsh Office rates of mileage are as follows:

Pence per mile

	Cars with engine capacity		
	Up to 1500cc	*1501cc–2000cc*	*Over 2000cc*
Up to 4,000 miles	35	45	48
Over 4,000 miles	20	25	32

The over 2000cc rate has been frozen at the rates shown for the previous two financial years to reflect Departmental policy on green housekeeping.

Pence per mile

	Motorcycles	
	Up to 125cc	*Over 125cc*
Up to 4,000 miles	14.6	22.1
Over 4,000 miles	6.1	9.0

Rates reflect third party fire and theft insurance. A higher rate may be claimable when officers are able to obtain comprehensive insurance cover, as follows:

Higher rates

	Pence per mile	*Pence per mile*
Up to 4,000 miles	16.2	25.3
Over 4,000 miles	6.1	9.0

Pedal Cycles: 6.0 pence per mile

Public Transport Rate: 23.8 pence per mile.

The Welsh Office green transport plan will be announced in March. It will contain further measures to encourage staff to use greener forms of travel.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Wales, pursuant to his answer of 17 December 1998, *Official Report*, column *690*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71034]

Mr. Michael: *(a)* NDPB's expenditure cannot be broken down into categories requested. The total expenditure up to January 1999 is £10,382,005. Expenditure by CADW is not readily available. I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

(b) Expenditure incurred through the Central Office of Information on public opinion research, advertising and direct mail is included in the figures given for the previous answer.

The total spent through COI during the period May 1997-November 1998 was £1,448,809. This includes the expenditure on the above, plus other forms of publicity work undertaken by my Department during the period.

Mr. Don Foster: To ask the Secretary of State for Wales, pursuant to his answer of 17 December 1998, *Official Report*, column *690*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71035]

Mr. Michael: No additional expenditure had been incurred by *(a)* task forces and review bodies, *(b)* focus groups, or *(c)* on market research.

(d) In addition to the expenditure on public opinion research, TV, radio, press advertising and direct mail given in my previous answer, my Department has spent £2,713,930 on publications and other forms of publicity in the period May 1997-November 1998.

Mr. Don Foster: To ask the Secretary of State for Wales if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70962]

Mr. Michael: I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Ministerial Visits

Mr. Gray: To ask the Secretary of State for Wales if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71345]

Mr. Michael: Since my appointment I have visited the following parliamentary constituencies in Wales:

Alyn and Deeside CC

Blaenau Gwent CC

Cardiff, Central BC

Cardiff, South and Penarth BC

Cardiff, West BC

Carmarthen, West and South Pembrokeshire CC

Ceredigion CC

Clwyd, South CC

Conwy CC

Cynon Valley CC

Delyn CC

Islwyn CC

Montgomeryshire CC

Neath CC

Newport, East CC

Newport, West CC

Pontypridd CC

Preseli Pembrokeshire CC

Rhondda CC

Swansea, East BC

Swansea, West BC

Torfaen CC

Vale of Clwyd CC

Vale of Glamorgan CC

Wrexham CC

Ynys Môn CC.

Carers

Ms Lawrence: To ask the Secretary of State for Wales if additional funding in the form of a ring-fenced grant will be made available to Welsh local authorities to provide the means for carers to have a break from their caring responsibilities. [70954]

Mr. Jon Owen Jones: The Welsh local government revenue settlement is not hypothecated. We are consulting widely with carers, their representatives and local authorities about how the National Strategy for Carers, announced by the Deputy Prime Minister on 8 February 1999, should be implemented in Wales. Final decisions will be taken by the National Assembly for Wales.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Teachers

Mr. Swayne: To ask the Secretary of State for Wales how many whole-time equivalent teachers were employed in Wales on 31 January 1999. [71152]

Mr. Hain: Information on teachers employed in schools is collected annually in January. Results for 1999 are not yet available. As at January 1998, there were 26,135 whole-time equivalent qualified teachers employed in schools in Wales.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Pierhead Building

Mr. Swayne: To ask the Secretary of State for Wales what estimate he has made of the annual running costs of the Pierhead building. [71299]

Mr. Michael: The estimated annual running cost for the Pierhead Building is about £220,000.

Class Sizes

Mr. Swayne: To ask the Secretary of State for Wales how many Key Stage 1 pupils were in classes with more than 30 pupils in each of the last five years. [71298]

Mr. Hain: As I informed the hon. Member in my replies of 3 February 1999, *Official Report*, column *609*, and 10 February 1999, *Official Report*, column *250*, information on the number of pupils in classes of 30 or more was not collected before 1998. In January 1998, 30,734 Key Stage 1 pupils were in classes of over 30 pupils.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Mr. Swayne: To ask the Secretary of State for Wales what the average class size is in the Bridgend County Borough; and what it was in May 1997. [71294]

Mr. Hain: The latest available information shows that the average class size of registered classes in primary schools in Bridgend County Borough Council was 28.7 as at January 1998. Comparable information is not available for May 1997.

Following the transfer of powers, this issue will be a matter for the National Assembly.

Individual Learning Accounts

Mr. Swayne: To ask the Secretary of State for Wales what progress has been made in setting up individual learning accounts; and if he will make a statement. [71150]

Mr. Hain: Building on the work of the development projects in the West Wales and North Wales TEC areas, a small number of Individual Learning Accounts, supported by TEC resources, will start to become available from 1999. This is in advance of the launch of the National Framework in the year 2000.

Following the transfer of powers, this issue will be a matter for the National Assembly.

NHS Trusts

Mr. Swayne: To ask the Secretary of State for Wales if he will estimate the changes in administrative costs to the NHS in Wales consequent upon the reorganisation of NHS trusts this year and over the next four years. [71170]

Mr. Jon Owen Jones: A new configuration of NHS trusts in Wales will be in place from 1 April 1999. The net savings (costs) in running costs for the first 5 years have been estimated as follows:

Year	*£000*
1999–2000	(4,860)
2000–01	3,100
2001–02	6,320
2002–03	6,620
2003–04	6,740

These figures are indicative as total costs depend on exact details of redundancies which are yet to be established. Therefore, 1999–2000 costs may be reduced.

Following the transfer of powers, this issue will be a matter for the National Assembly.

EDUCATION AND EMPLOYMENT

Teachers (Attacks)

Mr. Gareth R. Thomas: To ask the Secretary of State for Education and Employment what discussions his Department has held with police forces on the investigation of incidents of attacks on teachers. [69118]

Mr. Charles Clarke: Following the fatal stabbing of London head teacher, Philip Lawrence, in December 1995, the Working Group on School Security was established. The group continues to meet regularly to discuss a wide range of issues with security implications for schools, and includes representatives from the police and the Home Office.

The Department also worked closely with the police and the Home Office on the production of guidance on "School Security: Dealing With Troublemakers", which was issued in December 1997. This promotes close co-operation between schools and local police to create effective local partnerships, and encourages schools to adopt a system of recording and reporting all incidents.

Ministerial Visits

Mr. Gray: To ask the Secretary of State for Education and Employment if he will list the parliamentary constituencies which he has visited in an official capacity in the past 12 months. [71337]

Mr. Blunkett: My Department does not hold records of official visits on a constituency basis and we could supply this information only at disproportionate cost.

Building Works (VAT)

Mr. Wyatt: To ask the Secretary of State for Education and Employment (1) how many grant maintained-foundation schools with basic need capital building projects starting after 1 April will have building works which are liable for VAT; how these building projects will be funded after August; how payments will be made to individual schools, with particular reference to the role of local education authorities in passing on funding to schools; and what arrangements are in place for grant maintained-foundation schools to reclaim VAT paid on these projects; [71357]

(2) how many grant maintained-foundation schools have basic need capital building projects starting after 1 April; in how many of these cases the funding will be provided directly to the school via the Funding Agency for Schools; what is the estimated cost of those projects for which funding will be provided directly to the schools via the Funding Agency for Schools; and what proportion of these costs *(a)* relate to new buildings and *(b)* involve no element of VAT on the building works. [71356]

Ms Estelle Morris: Until 31 March 1999, responsibility for the progress of basic need capital projects in grant-maintained schools remains the responsibility of the Funding Agency for Schools (FAS). I have written to the Chairman of the FAS, asking him to write to my hon. Friend, and will arrange for a copy of the reply to be placed in the Library.

In a recent letter to all grant-maintained schools, which was prepared jointly by the Funding Agency for Schools and the DfEE officials, the FAS explained that, between 1 April 1999 and 31 August 1999, the Department will assume responsibility for the payment of capital grant in respect of such projects. My right hon. Friend the Secretary of State intends later this year to lay Regulations under Schedule 32 to the School Standards and Framework Act 1998, which will give him the powers to pay grant after 31 August 1999 to foundation schools and other former grant-maintained schools for capital projects committed before 1 September 1999. That letter also explained that where the Department agrees to pay grant on work which attracts VAT which cannot be reclaimed, the level of grant allowed will reflect this. Liability for VAT will depend on the nature and purpose of the building works.

Decisions about when refunds of VAT can be claimed from HM Customs & Excise are for the Financial Secretary to the Treasury.

New Deal (Hertfordshire)

Mr. Page: To ask the Secretary of State for Education and Employment how many people have entered the New Deal for long-term unemployed people aged over 25 years in Hertfordshire since 29 June 1998; and how many have *(a)* left to enter unsubsidised jobs, *(b)* left to enter subsidised work, *(c)* returned to jobseekers' allowance and *(d)* entered education or training opportunities and work-based training for adults. [70247]

Mr. Andrew Smith: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Richard Page, dated 11 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your questions about New Deal for those aged over 25 years in the Hertfordshire area. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

The latest Government Statistical Service figures to the end of November 1998 show that, 330 long-term unemployed people aged 25 or over in the Employment Service Hertfordshire Unit of Delivery have entered New Deal, since its inception in June 1998. Of those entering the New Deal advisory process, 17 have found unsubsidised work; 3 have found subsidised work; 1 has entered an Education and Training opportunity; and 1 has begun Work Based Training for Adults. Only one person has subsequently returned to claim Jobseekers Allowance.

I hope this is helpful.

Mr. Page: To ask the Secretary of State for Education and Employment how many people have entered the New Deal for the young unemployed in Hertfordshire; how many have left to enter unsubsidised work; and how many have transferred to other benefits. [70248]

Mr. Andrew Smith: Responsibility for the subject has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Richard Page, dated 11 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your question about New Deal for 18–24 year old participants in Hertfordshire. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

The latest Government Statistical Service figures to the end of November 1998 and Provisional Management Information to the end of December 1998 show that, 702 young people in the Employment Service Hertfordshire Unit of Delivery have entered New Deal for 18–24 year olds. Of those leaving Gateway by Immediate Destination 185 have found unsubsidised work; 12 have found subsidised work; and 38 have moved onto other benefits.

I hope this is helpful.

Teachers (Pensions)

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment if provision exists for teachers to take early retirement without the need for schools to top up their pensions, on the occasions when such teachers are prepared to accept actuarially reduced pensions; and if he will make a statement. [71138]

Mr. Charles Clarke: There is no current provision in the Teachers' Pensions Regulations for teachers to take an actuarially reduced pension at their own request. Whether such a provision should be introduced was included in the Terms of Reference of the Working Group undertaking the Long Term Examination of the Teachers' Pension Scheme. I anticipate receiving the Working Group's report and recommendations on this question in the very near future.

Design Technology Graduates

Mrs. Roe: To ask the Secretary of State for Education and Employment how many students are *(a)* currently taking a postgraduate certificate in education in design technology and *(b)* in their fourth year of a B.Ed design technology course. [70442]

Mr. Charles Clarke: The following table shows registrations to design and technology postgraduate initial teacher training in England in 1998–99. Information on registrations to the fourth year of an undergraduate design and technology initial teacher training course in 1998–99 is not available.

Table 1: Actual and forecast registrations to design and technology postgraduate initial teacher training (ITT) course in England, in 1998–99

	Registrations
Actual[1]	502
Forecast[2]	44
Assumed total	546

[1] Actual registrations represent those students who registered between 1 August and 14 October 1998.

[2] Forecast registrations represent those students whom the ITT provider forecasts to register between 15 October 1998 and 31 July 1999. Therefore, registrations to Open University and Maryvale Institute, whose ITT course commence in January, are included in forecast registrations.

Source:

TTA recruitment survey, 1998–99

The most recent data available on the number of registrations in the final year of both postgraduate and an undergraduate design and technology initial teacher training course in England are as follows:

Final-year trainees registered on a design and technology initial teacher training course, by level, in England 1996–97

	Final-year trainees
Postgraduate	606
Undergraduate	584
Total	1,190

Source:

TTA Survey under the Framework for the Assessment of Quality and Standards in ITT

CABINET OFFICE

Civil Servants (Misconduct)

Mr. Maclean: To ask the Minister for the Cabinet Office if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70786]

Mr. Kilfoyle: The rules of the Principal Civil Service Pension Scheme (PCSPS) provide that Civil Service pension benefits may be withheld in whole or in part if a serving or former civil servant is convicted of:

> one or more offences under the Official Secrets Act 1911 to 1989 for which the person concerned has been sentenced to a term of imprisonment of at least 10 years or has been sentenced on the same occasion to two or more consecutive terms amounting in the aggregate to at least 10 years; or
>
> an offence in connection with any employment to which the PCSPS applies, being an offence which is certified by a Minister of the Crown either to have been gravely injurious to the State or to be liable to lead to serious loss of confidence in the public service.

In addition, forfeiture of pension benefits where a person is convicted of treason is provided for in the Forfeiture Act 1870.

In the last five years there has been one case of forfeiture of pension involving a serving or former civil servant.

Departmental Expenditure

Mr. Don Foster: To ask the Minister for the Cabinet Office if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70977]

Mr. Kilfoyle: My Department fully supports the open government initiative and the Internet forms an integral part of our overall communications, publications and information strategy.

The Cabinet Office, its Agencies and NDPBs, and the Central Office of Information are responsible for a total of sixteen web sites, the details of which are given in the table.

Cabinet Office agencies, NDPBs and other associated web sites

Name	*Content of site*	*Expenditure Initial and running costs*	*Estimated expenditure over the next 3 years*	*Hits per month (average)*
10 Downing Street (www.no-10.gov.uk)	The full range of the Government's activities, including current news, live broadcasts, discussion forums, and the history of No 10 and past Prime Ministers	The cost to my Department of redesigning the 10 Downing Street web site was £27,048. The running costs for the site are met by the budget of the Prime Minister's Office and separate figures are not identifiable.	Not separately identifiable.	900,000
Cabinet Office (www.cabinet-office.gov.uk)	The site provides a wide range of information, for example, cabinet and its committees, ministerial responsibilities, pan Government programmes, guidance, codes and best practice	Not separately identifiable. Expenditure is part of the wider Cabinet Office Communications and publications activities	Not separately identifiable.	60,700
Direct Access Government (www.open.gov.uk/gdirect)	This web site is a one-stop-shop providing access to the regulatory guidance and forms commonly required by businesses.	Not separately identifiable.	£70,000 to upgrade the web site—excludes running costs.	243,900

Cabinet Office agencies, NDPBs and other associated web sites

Name	*Content of site*	*Expenditure Initial and running costs*	*Estimated expenditure over the next 3 years*	*Hits per month (average)*
Central IT Unit (www.open.gov.uk/citu)	This web site features guidance on electronic government	The Central IT Unit web site was set up at a cost of £14,000. The operational charges for 1998–99 are £20,000. Both are within budget	£20,000 per year	Not available
Central Communications and Telecommunications Agency (www.ccta.gov.uk)	This site contains details of the services that CCTA offers and guidance on technological issues	The estimated cost of maintaining CCTA's own web site is under £5,000 per year. The estimated marginal cost of initially establishing the CCTA web site is under £10,000.	Estimated expenditure on this web site for 1999–2000 is around £20,000.	46,600
CGIS (www.open.gov.uk)	CGIS hosts information from around 130 public sector organisations and units, plus the Royal Household. It is one of the largest public sector web sites in Europe	The set-up costs for this site were under £50,000. Estimated operational costs for 1998–99 are £330,000.	Estimated expenditure on this web site for 1999–2000 is around £595,000. Figures are not yet available for 2000–02.	22.95 million
Her Majesty's Stationery Office (www.hmso.gov.uk)	The HMSO web site was set up in 1996 following a decision by Ministers to publish all new Acts and Statutory Instruments on the Internet. The site describes HMSO and its responsibilities	There were no charges to Government in setting up the site. Maintenance charges for calendar year 1998 were £8,299.	Estimated charges for 1998–99 are £9,174. Costs of up to £19,756 have been allocated for 1999–2000.	44,600
Central Office of Information COI site (www.coi.gov.uk/coi)	COI's role and performance; description of COI's services; frequently asked questions; an extensive guide to the use of the web.	—	£64,000 (total).	Included in figure of 1.2 million (below)
Government Press Release site	Press Releases from 54 Government sites.	Set up costs were £32,000. Upgrade costs were £28,500 and this year's operational costs are estimated at £82,500.	£176,500 (total).	1.2 million
British Monarchy Site (www.royal.gov.uk)	Information on the British Monarchy.	Set up costs were £38,000. This year's operational costs are estimated at £44,000.	Estimated expenditure over the next three years is expected to be in line with current costs. However, the popularity of the site has prompted a review of its scope and this may result in changes to planned operational costs.	11.2 million
Civil Service College (www.open.gov.uk/college)	This site contains a full directory of courses offered by the College.	The Civil Service College web site was set up, at no charge to Government, in 1995. The operational charges for 1997–98 were £7,050 and this year is £1,175—both within budget.	£1,175 per year.	16,500
The Buying Agency (www.open.gov.uk/tba)	The site covers a basic overview of The Buying Agency's operations, their Year 2000 programme and details of their suppliers who claim to be year 2000 compliant. The site occasionally promotes events such as the Public Sector Expo.	The Buying Agency's web site was developed in-house but costs are not separately identifiable. The Agency pays £3,000 operational costs per year.	£3,000 per year.	2,200
Womens National Commission (www.thewnc.org.uk)	The WNC web site covers: the remit of the WNC, how it works, some of the key issues with which it is concerned and a list of the membership and the publications. It also has cross references to the web sites of some of the member organisations.	The direct cost to the WNC is setting up of the WNC web site was around £30 for the registration of the name. The design costs were met centrally by DSS where the WNC was located until October 1998. The cost of operating the site is still being met centrally through the DSS IT budget.	Costs will be met centrally by Cabinet Office and are not separately identifiable.	Not known

Cabinet Office agencies, NDPBs and other associated web sites

Name	*Content of site*	*Expenditure Initial and running costs*	*Estimated expenditure over the next 3 years*	*Hits per month (average)*
Committee On Standards In Public Life (www.open.gov.uk/cspl)	The web site includes: background information on the work of the Committee; information on individual Committee Members; the Register on Interests of Committee Members; a list of Committee Publications; abstracts of Committee Publications; and links to other relevant web sites.	The web site for the CSPL was set up in May 1997. The cost of establishing and maintaining the web site to date is £2,500. The web site was redesigned in 1998 at a cost of £3,888. All costs were met from within the Committee's budget.	Budgeted at less than £1,000 per year	4,400
Public Appointments Unit (www.open.gov.uk/pau)	The purpose of the Directory is to provide an open, public record of key public appointments made by Government departments. It contains details of appointments made to executive NDPBs, advisory bodies, public corporations, nationalised industries and NHS bodies.	The Public Appointments Unit's Directory of Appointments was launched in January 1997. The cost of setting up the web-site was £7,000. The current cost of operating the site is £10,000 per year.	Total estimated expenditure for the next three years is likely to be around £24,000.	4,000
Property Advisers To The Civil Estate (www.property.gov.uk)	PACE's web site details its structure and services	There were minimal setting up charges and the annual connection charge currently stands at £14,000 per year.	£14,000 per year.	100

AGRICULTURE, FISHERIES AND FOOD

Genetically Modified Food

Mr. Vaz: To ask the Minister of Agriculture, Fisheries and Food what steps the Government have taken to prevent the patenting of genes used for manufacture of food products. [69011]

Mr. Battle: I have been asked to reply.

The Patents Act 1977 sets down the requirements which must be met to obtain patents for inventions in all fields of technology. Under this Act it is possible to patent genes for use in any manufacturing sector; the food sector included. However, the mere discovery that a gene exists in nature, when there has been no technical step, is not patentable. During negotiations on a recently adopted EC Directive on the legal protection of biotechnological inventions (98/44/EC), the United Kingdom Government ensured that the Directive does not extend what is patentable in this area.

The Directive also confirms that patent rights are granted without prejudice to other legislation. Thus, if a patented gene is used in the manufacture of food products, its use is subject to all other legislation which controls such acts, including those laws protecting human and animal health and the environment.

Beam Trawlers

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food when he will give producer organisations an allocation of effort for beam trawlers for the 1999 fishing year; and if he will make a statement on the factors which have given rise to delay. [69865]

Mr. Morley *[holding answer 11 February 1999]:* As I explained during the Fisheries debate on 15 December 1998, *Official Report*, column 829, a first meeting with the industry was held earlier that day on possible modifications to the beam trawl effort allocation arrangements introduced last year. During those discussions the industry raised a number of points with us and asked for certain illustrative figures to be prepared as the basis for further talks. This work involves updating the fleet segmentation and looking at other detailed technical issues. The Producer Organisations concerned understand what is involved and that it is not possible to provide definitive figures at the start of the fishing year. We will convene a further meeting soon.

Date-based Export Scheme

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food how many abattoirs have indicated that they are prepared to be dedicated to the date-based export scheme. [70631]

Mr. Rooker *[holding answer 11 February 1999]:* A small number have expressed an interest, but we have not at this stage asked for formal applications. It would be premature to do so before the Commission have carried out their inspection, which they must do before a date can be set for the resumption of exports.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70414]

Mr. Morley *[holding answer 11 February 1999]*: In the time available, it is possible to provide only information relating to disposals of land and buildings. These are listed in the table.

Property	£ *Sale price*
Government Buildings, Crosby Road, North Yorks	[1]1
Government Buildings, Alphington Road, Exeter Devon	5,916,008
Tangley Place, Worplesdon, Guildford, Surrey	863,000
Litley Court, Hampton Park Road, Hereford	527,000
130 Hyndford Road, Lanark, Scotland	225,000
Pocklington Industrial Estate, Pocklington, East Yorks	325,000
357 Station Road, South Leigh, Oxon	67,000

[1] The buildings at Crosby Road which were erected at Government expense in the 1950s, were in need of replacement. Various options were considered including a new build by Government, a Private Finance Initiative arrangement, and a private developer scheme. A variation of the last of these options involving the sale of the site to the developer and a lease back after modern replacement buildings had been erected, offered best value for money for the Exchequer.

The total income received from the disposals listed above is £7,923,009.

We aim to dispose of a further 20 properties over the next two years or so.

Bovine TB

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what plans he has for controlling TB in cattle in the areas outside the study areas identified by Professor Bourne for the duration of that study. [70633]

Mr. Rooker *[holding answer 11 February 1999]*: I refer the hon. Member to the reply given to the hon. Member for East Devon (Sir P. Emery) on 11 February 1999, *Official Report*, columns *418–19*.

Meat Hygiene Service

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food if he has made contingency plans to deal with the consequences of disruption to the services offered by the Meat Hygiene Service in the event of industrial action; and if he will make a statement. [68319]

Mr. Rooker: Contingency plans were drawn up to minimise the effect of industrial action by Meat Hygiene Service (MHS) staff on Tuesday 2 February. Food safety, public health and animal welfare were fully protected. The MHS strictly enforced meat hygiene, specified risk material and animal welfare Regulations in all licensed plants whether or not they were able to operate on the day of strike action.

The decision by UNISON to call strike action by its Meat Hygiene Service (MHS) members at the present time is very disappointing. MHS staff have a vital role to play in ensuring the highest hygiene and animal welfare standards are applied within plants. The MHS pay offer is fair and equitable. Indeed, the total value of the offer is on par with the current average civil service settlements.

The MHS is continuing negotiations with UNISON with the involvement of ACAS to seek to resolve the dispute at the earliest opportunity.

Mr. Waterson: To ask the Minister of Agriculture, Fisheries and Food what steps are being taken by the Government to assist a resolution of the current abattoir inspectors' dispute. [70198]

Mr. Rooker: The decision by UNISON to call strike action by its Meat Hygiene Service (MHS) members at the present time is very disappointing. MHS staff have a vital role to play in ensuring the highest hygiene and animal welfare standards are applied within plants. The MHS pay offer is fair and equitable. Indeed, the total value of the offer is on par with the current average civil service settlements.

The negotiation to pay is delegated to officials. The MHS is continuing negotiations with UNISON with the involvement of ACAS to seek to resolve the dispute at the earliest opportunity.

Genetically Engineered Animal Feed

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the current procedures for approving genetically engineered animal feeds; if ACRE has sole responsibility for assessing applications; and who will take such decisions in *(a)* the United Kingdom and *(b)* the European Union. [70347]

Mr. Rooker: In addition to meeting requirements applicable to all animal feeds, a GM feeding stuff requires approval for commercial use following the procedures set out in Directive 90/220/EEC. This Directive has the objective of ensuring that the product does not cause harm to animals, human health or the environment. The applicant must submit a dossier of the required information to one Member State who takes the lead for that product, and assesses the information and the potential risks. Once content, the lead Member State forwards the dossier to the Commission with an opinion. Other Member States then consider the dossier and are free to require further information. A collective decision on whether to give EU wide approval for the product is then decided by qualified majority voting.

In the United Kingdom, the dossiers are considered by DETR in consultation with MAFF and the Scottish, Welsh and Northern Ireland Offices. The Environmental Protection Act 1990 requires that formal advice on the safety of GM animal feed is sought from the Advisory Committee on Releases to the Environment (ACRE). In addition, the Advisory Committee on Novel Foods and Processes (ACNFP) also advises MAFF Ministers on implications for the safety of food. In the near future, there will be an important role for the new Advisory Committee on Animal Feedingstuffs, liaising as necessary with ACRE and the ACNFP. Advice is also sought from interests in other Departments and English Nature. The final decision is made by the Secretaries of State and the Minister of Agriculture acting jointly.

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food what steps he will take to ensure that genetically engineered animal feed is labelled as such. [70348]

Mr. Rooker: The Ministry is pressing the Commission to forward to the Council its proposal on novel feeds, to include labelling of GM materials.

Farm Incomes

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food if he will list the total farm income for Cumbria for each of the last five years for which figures are available. [70570]

Mr. Rooker: Estimates of Total Income From Farming for counties within England are only available for 1995 and 1996. These estimates are calculated by apportioning Total Income from Farming in England according to areas of crops and numbers of livestock.

Total Income From Farming in Cumbria is estimated to have been £155 million in 1995 and £143 million in 1996.

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the change in gross terms in total farm income for Cumbria for the latest year for which figures are available. [70573]

Mr. Rooker: Total Income from Farming in Cumbria in 1996 is estimated to have been 7.7 per cent. lower than it was in 1995. Estimates for 1997 and 1998 are not yet available. These estimates are calculated by apportioning Total Income From Farming in England according to areas of crops and numbers of livestock.

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the net farm income for each farm sector in Cumbria for the last five years. [70569]

Mr. Rooker: Net farm income estimates are based on the Farm Business Survey. The sample size is not sufficient to provide reliable estimates of net farm income by farm types at County level.

Food Standards Agency

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what powers will be available to the Food Standards Agency to enforce food labelling regulations. [70814]

Mr. Rooker: Enforcement of food labelling regulations will continue to be carried out by existing relevant authorities (in general, this is carried out at the local level). The Food Standards Agency will have powers under the Food Safety Act 1990 to issue Codes of Practice to local enforcement authorities, and to provide guidance on labelling and other enforcement matters. The Agency will also have powers to take over enforcement from local authorities, where appropriate.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what powers the Food Standards Agency will have to regulate the activities of local authorities with regard to enforcement of food hygiene and labelling regulations. [70815]

Mr. Rooker: The provisions in the draft Food Standards Bill would enable the Food Standards Agency to set standards for the enforcement of food law, and audit local authority enforcement activity against those standards. The aim of these powers is to promote food law enforcement that is of a consistently high standard between local authorities.

It is also proposed that the Agency will have powers under the Food Safety Act 1990 to issue Codes of Practice to local authorities, and to provide other guidance on enforcement matters.

Salmonella

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to investigate the incidence of salmonella in chickens sold in supermarkets. [70883]

Mr. Rooker: Government funded surveillance of UK-produced chickens on retail sale has clearly shown that the proportion with Salmonella has been falling steadily over the years. The Department of Health intends commissioning a further survey later this year to establish the current position.

Departmental Staff

Mr. Chaytor: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70470]

Mr. Morley: Since May 1997 we have established the British Cattle Movement Service at Workington, Cumbria which created around 300 jobs. Altogether 70 per cent. of all permanent staff in MAFF and its Agencies work outside London in about 150 different locations. Any further office moves will be considered on their merits.

FOREIGN AND COMMONWEALTH AFFAIRS

Weapons Inspectors (Iraq)

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* members of the staff of his Department and *(b)* persons otherwise attached to his Department have served with the UN weapons inspectors in Iraq since 1991. [67018]

Mr. Tony Lloyd *[holding answer 25 January 1999]:* *(a)* Fourteen FCO employees have served with the UN weapons inspectors in Iraq since 1991.

(b) The FCO recruits, administers and, in most cases, pays for all UK-supplied personnel serving with the UN weapons inspectors in Iraq (including UNSCOM and IAEA). The FCO has supplied 286 such personnel (in addition to the 14 FCO employees) since 1991. These individuals come from the Armed Forces, other Government departments, industry and universities.

Private Military Companies

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his officials have had with representatives of private military companies since the guidelines following the Legg report were introduced; and if he will list the companies concerned. [69353]

Mr. Tony Lloyd: Private military companies include companies engaged in a wide range of activities.

On 24 July 1998, interim guidance was issued to all FCO officials on contacts with private military companies. This was intended to direct FCO officials on their contacts with such companies, and to guard against subsequent misinterpretation. We are in the process of preparing more detailed guidance in consultation with other Whitehall departments. We intend to make this available to Parliament and to companies or individuals who request it.

Since the introduction of the interim guidance, officials have reported contacts with a range of companies on a range of issues. Most of these contacts have been initiated by the companies themselves and have been of a routine nature. It is not our intention to publish names or details.

Government Communications Headquarters

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 1 February 1999, *Official Report*, column *493*, if he will break down the costs of the compensation into that paid in relation to *(a)* the impact on pensionable pay on retirement of the decision and *(b)* the loss of pensionable service. [69380]

Mr. Robin Cook *[holding answer 8 February 1999]:* GCHQ officials are in contact with the Council of Civil Service Unions about the details of the compensation packages for each of the fourteen ex-GCHQ employees. GCHQ intend to finalise those packages, in consultation with the Council of Civil Service Unions, as soon as possible.

Legal Services

Mr. Ruffley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70031]

Mr. Fatchett *[holding answer 8 February 1999]:* Legal services are performed for the Foreign and Commonwealth Office by London barristers in the following main situations:

(a) domestic litigation including judicial review and personnel cases;

(b) international litigation, for example before the International Court of Justice;

(c) litigation before the European Commission and Court of Human Rights for which FCO Legal Advisers are agents for the Government, though in almost all such cases the policy lead and financial responsibility falls to another Government department;

(d) advisory work.

Apart from the ECHR cases, no central records are kept and it would not be possible without disproportionate time and expense to provide an accurate response to the hon. Member's questions. It is, however, thought that the numbers of cases in categories *(a)*, *(b)* and *(d)* are very small. It is also thought that there have been few, if any, cases in which the London solicitors' firms have been instructed.

So far as ECHR cases are concerned, there are as of 21 January 1999 some 184 current cases. Counsel are not instructed in every case. Some 22 different London Counsel are currently instructed (some on more than one case) from 12 different barristers' chambers. As indicated, fees almost always for payment by other Government departments.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the Government in its important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the rest of the Government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the Government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

Arms Brokers

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the German Government's proposals on the regulation of arms brokers in the EU; and what plans he has in this respect. [70338]

Mr. Tony Lloyd: We welcome the German Government's decision to raise with EU partners the question of controls on trafficking and brokering in strategic goods. This is in line with the recommendation in the Trade and Industry Committee's Report on Strategic Export Controls of December 1998 (HC 65) that the benefits and potential pitfalls of some multilaterally agreed form of licensing or registration of arms dealers be explored within the EU.

The German proposals differ in a number of respects from the Government's proposals for controls on trafficking and brokering as set out in the White Paper on Strategic Export Controls presented to Parliament by my right hon. Friend the President of the Board of Trade in July 1998 (Cm 3989). The Government are reviewing the White Paper proposals in the light of comments by respondents to the White Paper, and will also take into account the progress of discussions in the EU.

Strategic Arms Report

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the annual report on Strategic Arms to be published. [70337]

Mr. Tony Lloyd: The report will be published as soon as possible.

Departmental Staff

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70939]

Mr. Fatchett: The information is as follows:

FCO staff are entitled to claim the following mileage rates, expressed in pence per mile

	Pence per mile
Private cars	
Public Transport rate (for duty travel in the United Kingdom)	24.8
Standard rate (for duty travel when official or public transport is not readily available)	
Up to 4,000 miles per year	39.5
Over 4,000 miles per year	22
Leave rate (for travel to or from Overseas Posts on leave or compassionate or serious domestic hardship journeys)	16.3
Motor cycles	
Public Transport rate only	
Up to 4,000 miles per year	18.5
Over 4,000 miles per year	7.5
Cylces	
Public Transport rate only	5.6

The FCO will comply with published Government targets to have green transport plans, aimed at promoting greener travel, in place for its London headquarters estate by 31 March 1999 and for its provincial site by 31 March 2000. The practical measures which will be identified in the FCO's green transport plan do not currently include a review of mileage rates.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70479]

Mr. Fatchett: I refer my hon. Friend to "Civil Service Statistics 1998", which is placed in the Libraries of the House.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70465]

Mr. Fatchett: The FCO has under three and a half thousand staff working in the UK at any one time—in central London, Croydon and Milton Keynes. We have no plans for decentralisation. The FCO also has a small Agency, Wilton Park Conference Centre, in Sussex.

The British Council moved part of its HQ to Manchester in 1992; it also has offices in Edinburgh, Cardiff and Belfast and regional officers in a number of cities around the UK.

The BBC World Service is based in Central London, except for BBC Monitoring, which is based in Reading.

Ethiopia and Eritrea

Miss Begg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's implementation of the non-binding arms embargo against Ethiopia and Eritrea (UNSCR 1227) and on the steps taken to publicise the ban. [71645]

Mr. Tony Lloyd: In light of United Nations Security Council Resolution 1227 the Government have banned exports from the UK to Ethiopia and Eritrea of all goods and technology on the Military List, which forms Part III of Schedule 1 to the Export of Goods (Control) Order 1994. The Government have also set in hand action to amend the Order so that a licence is required for all transhipments of such goods through the UK to either country and, given the embargo, no such licences will be issued. The Crown Dependencies and Overseas Territories have been asked to take appropriate action to enforce the ban in their own jurisdictions.

The Government are also pressing for the EU to adopt a mandatory arms embargo.

The Foreign and Commonwealth Office will be issuing a press release on the embargo. An updated version of the list of all UK policy commitments on the application of strategic export controls, including arms embargoes, will be placed in the Library of the House. The FCO has already issued guidance on the ban to Departments in London, Posts overseas and other Whitehall Departments.

Bahrain

Mr. Canavan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the role of Her Majesty's Government in the appointment of a former serving officer in the British Army in a leading security role on behalf of the Government of Bahrain. [71303]

Mr. Fatchett: The UK Government received a request from the Government of Bahrain in 1966 for help in recruiting a successor to the Head of the Bahraini Special Branch. Ian Henderson informed us that he wished to be considered for the post. We passed on his request to the Bahrainis, whose decision it was to appoint him.

Mr. Canavan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will introduce an embargo on the export of arms to Bahrain. [71302]

Mr. Fatchett: There are no plans to introduce such an embargo.

Mr. Canavan: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the extent to which human rights are violated by the Government of Bahrain; and what action he has taken to increase respect for human rights in Bahrain. [71300]

Mr. Fatchett: We take seriously any abuse of human rights wherever it might occur. I regularly raise our concerns about the provision of human rights in Bahrain with Bahraini Ministers and officials. I welcomed Bahrain's ratification of the Convention Against Torture and its agreement to allow the International Committee of the Red Cross to monitor prison conditions in Bahrain. I have also urged Bahrain to communicate more with human rights NGOs, including Amnesty International.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 10 February 1999, *Official Report*, column *288*, what *(a)* categories and *(b)* quantities of humanitarian assistance have been given to (i) Kurdish groups in northern Iraq and (ii) Shia groups in southern Iraq. [71428]

Mr. Fatchett: Since 1991, HMG have donated over £73 million in bilateral aid to Iraq, in addition to giving aid via the EU. We have an aid programme for northern Iraq of some £3 million a year, which focuses on village rehabilitation, provision of medical supplies and assistance for mines-affected communities. Projects are being directed through the Kurdistan Children's Fund and Kurdish Life Aid, among others.

Our £7 million programme for Baghdad-controlled Iraq includes £2 million for the International Committee of the Red Cross and £2 million for the rehabilitation of water and sanitation infrastructure. In January, we also approved £540,000 for the rehabilitation of hospitals and increased the water and sanitation project by a further £211,000 to help rehabilitate water networks. We also delivered supplies of food and medicines to hospitals in early 1998, but nothing has been delivered since June, when the Iraqi authorities banned all further delivery of food and medicines outside the "oil for food" programme.

We also have a programme of assistance to Iraqi refugees in Iran, many of whom fled from the marshlands of southern Iraq. In 1997–98 we gave over £540,000 for Iraqi refugees. This focuses on the provision of emergency supplies and primary health care for refugees living in camps.

Ministerial Engagements

Mr. Galloway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the public engagements of the Minister of State, the right hon. Member for Leeds, Central (Mr. Fatchett), on 1 February. [70649]

Mr. Fatchett: My public engagements for Monday 1 February were as follows:

The hon. Alexander Downer MP, Australian Foreign Minister

Host meeting for London based Heads of Mission—Millennium Celebrations

Speech at Royal United Services Institute

Andrew Miller MP

Israeli Ambassador

New Zealand High Commissioner

Dr. Chris Gambel, Director, Chatham House

Dinner with Next Century Foundation.

Yugoslavia

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the steps taken by the Government to implement the requirement in UNSCR 1160 for UN member states to prevent arming and training for terrorist activities in the Federal Republic of Yugoslavia. [71549]

Mr. Tony Lloyd: The Federal Republic of Yugoslavia (United Nations Sanctions) Order 1998 implemented in UK law the ban on the sale of arms and related material to the Federal Republic of Yugoslavia imposed by Security Council Resolution 1160. In order to ensure that we have done everything possible to prevent UK nationals from providing training for terrorist activities in the Federal Republic of Yugoslavia, an amending Order was made on 10 February by the Privy Council to make it an offence to provide training or training facilities likely to assist the carrying out of acts of terrorism there. This is the Federal Republic of Yugoslavia (United Nations Sanctions) (Amendment) Order 1999.

On the same date, there were also made the Federal Republic of Yugoslavia (United Nations Sanctions) (Dependent Territories) (Amendment) Order 1999; the Federal Republic of Yugoslavia (United Nations Sanctions) (Channel Islands) (Amendment) Order 1999; and the Federal Republic of Yugoslavia (United Nations Sanctions) (Isle of Man) (Amendment) Order 1999. These Orders contain similar provisions.

Hong Kong

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of the People's Republic of China concerning the independence of the Hong Kong legal system. [71316]

Mr. Fatchett: We have regularly made clear to the Chinese Government our views on the independence of the judiciary, including through the Sino-British Joint Liaison Group. We have recently made it clear that any move to restrict the independence of the judiciary would be a matter of serious concern.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the status of the Hong Kong Court of Final Appeal. [71317]

Mr. Fatchett: The 1984 Sino-British Joint Declaration on the Question of Hong Kong stipulates that

> "the power of final judgement of the Hong Kong Special Administrative Region shall be vested in the Court of Final Appeal".

In the Basic Law of the Hong Kong Special Administrative Region it is provided that a Court of Final Appeal shall be established with the power of final adjudication vested in it. The Hong Kong Court of Final Appeal was established by local ordinance in time for the return of sovereignty over Hong Kong to China.

Gibraltar

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in resolving the fishing dispute in British waters around Gibraltar. [71381]

Ms Quin: We reached an understanding with the Spanish Government in October on the situation that prevailed from 1991 to 1997, when fishing in British waters around Gibraltar took place in moderation and the fishermen respected the authority of the Gibraltar law enforcement agencies. We agreed with the Spanish Government that we should revert to that situation. We nevertheless faced continuing difficulties on the water. On 27 January a Spanish fishing vessel was arrested. Fishermen demonstrated at the border on 29 January, preventing movement through it. We protested to the Spanish authorities about this. The fishermen and the Chief Minister of Gibraltar reached agreement on 3 February that satisfied them both, building on the understanding we had reached with Spain. These new arrangements have been working well in practice. We hope that they succeed in sorting out a problem that was causing difficulties in the region and in relations with Spain. We have always taken the view that any lasting solution to this problem must involve dialogue and cooperation at the local level.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions he is taking to reduce the queues at the Gibraltar-Spanish frontier. [71380]

Ms Quin: My right hon. Friend the Foreign Secretary spoke on the telephone to the Spanish Foreign Minister on this subject on 11 February. The Embassy in Madrid has also raised it on several occasions recently with the Spanish Ministry of Foreign Affairs. We have made it clear to the Spanish authorities that such delays are unjustifiable and unacceptable and that we look to them to allow movement across the border in conformity with EU obligations. We have also drawn the situation to the attention of the President of the European Commission.

European Parliament Building, Strasbourg

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated cost of the new Parliamentary building in Strasbourg for the European Parliament; what is the United Kingdom's contribution; and if he will make a statement. [67687]

Ms Hewitt: I have been asked to reply.

According to the European Parliament, the cost of the new Parliamentary building in Strasbourg is currently estimated to be some 400 million euros. The European Parliament will have the option to purchase the new building under the terms of its lease and I understand it does intend to exercise this option. This cost of purchase would be borne by the European Parliament's administrative budget, within the limit on annual resources set by the EC budget. The UK's contribution to the new Parliament building, after taking account of the effect of the abatement, will be around 5 per cent. of the total, i.e. broadly around 20 million euros.

TREASURY

Channel Islands and Isle of Man

Mr. Whittingdale: To ask the Chancellor of the Exchequer what discussions he has had with other EU ministers about the tax status of the Channel Islands and the Isle of Man. [66125]

Dawn Primarolo *[holding answer 18 January 1999]:* There have been no discussions on the tax status of the Channel Islands and the Isle of Man.

Mr. Whittingdale: To ask the Chancellor of the Exchequer what powers the Government have to influence the tax regimes of the Channel Islands and the Isle of Man. [66122]

Dawn Primarolo *[holding answer 18 January 1999]:* The UK Government are discussing harmful tax competition issues with the Channel Islands and the Isle of Man and expect that they will play a full and constructive part in international initiatives on this subject. Legislation on taxation matters has always taken the form of laws enacted by the island legislatures.

Tax Havens

Mr. Whittingdale: To ask the Chancellor of the Exchequer if he will list the [illegible]ndent territories of each member state of the European Union which are tax havens. [66126]

Dawn Primarolo *[holding answer 18 January 1999]:* The OECD Report "Harmful Tax Competition: An Emerging Global Issue" recommended the establishment of a Forum to implement the Report and that the Forum should produce a list of tax havens on the basis of the factors identified in the Report by October 1999. It would not be appropriate to anticipate the outcome of that exercise.

Fraud

Mr. Whittingdale: To ask the Chancellor of the Exchequer how much money within the EU budget was spent on tackling fraud in each of the last 10 years. [66123]

Ms Hewitt *[holding answer 18 January 1999]:* Total spending to combat fraud and financial mismanagement is not separately identified in the EC budget. For example, administration spending is classified according to its type (pay, stationery etc.) rather than aim (anti-fraud etc.). However, payment appropriations for a number of budget lines that relate primarily to the fight against fraud and financial mismanagement are given in the following table. In addition, the entire budget of the European Court of Auditors—amounting to some 66 million euros in 1999—is directed at cutting out fraud and financial mismanagement in the EC budget.

It should be noted that the Community's effectiveness in tackling fraud is not just about the amounts that are spent on anti-fraud measures in the EC budget. Expenditure in the EC budget on such measures should be seen alongside the work Member States put into combating fraud, which is where most impact can be made.

Payment appropriations 1990–99

Budget item	*Heading*	*1990*[1] *Outturn*	*1991*[1] *Outturn*	*1992*[1] *Outturn*	*1993*[1] *Outturn*	*1994*[1] *Outturn*	*1995*[1] *Outturn*	*1996*[1] *Outturn*	*1997*[1] *Outturn*	*1998* *Budgeted*	*1999* *Budgeted*
A-2554	Conferences, congresses and meetings in connection with the activities of the associations of European Lawyers for the protection of the financial interests of the Community	—	—	0.1	0.2	0.2	0.3	0.3	0.3	0.3	0.3
A-3530	Unit to co-ordinate action against fraud	0.2	0.0	0.1	0.3	0.1	0.2	0.2	0.2	0.2	0.2
A-3531	Controls, studies, analyses in connection with the fight against fraud	3.1	3.9	1.1	2.6	3.1	2.9	3.4	3.7	2.8	2.8
A-3532	Combating fraud in the textile sector	—	0.0	—	0.1	0.6	0.3	0.4	0.4	0.5	0.5
A-354	Tax harmonisation and computerised customs network for fraud prevention	1.4	1.2	0.9	—	—	—	—	—	—	—
A-355	European documentation, co-ordination and study network to control of cross border crime and fraud	—	—	0.1	0.2	0.4	—	0.1	—	—	—
A-4530	Expenditure in support of the Unit to co-ordinate action against fraud	—	0.1	0.2	0.0	—	—	—	—	—	—
A-4531	Expenditure in support of controls, studies, analyses in connection with the fight against fraud	—	0.7	3.2	2.1	—	—	—	—	—	—
A-454	Tax harmonisation and computerised customs network for fraud prevention	—	1.0	3.1	1.4	—	—	—	—	—	—
B1-360	Measures to combat fraud affecting the European Agriculture Guidance and Guarantee Fund—Guarantee Section	—	8.7	8.3	54.4	66.3	51.3	24.7	36.8	45.0	38.0
B-3820	Measures to control and combat fraud	16.4	—	—	—	—	—	—	—	—	—
B-3821	Other forms of inspection in agriculture	2.9	—	—	—	—	—	—	—	—	—
B2-121	Measures to combat fraud affecting the European Regional Development Fund	—	—	—	—	—	0.0	—	—	—	—
B2-131	Measures to combat fraud affecting the European Social Fund	—	—	—	—	—	0.1	—	—	—	—
B2-150	Action against fraud in the field of structural policy	—	—	—	—	—	—	0.5	0.5	0.8	0.8
B2-301	Measures to combat fraud affecting the Cohesion Fund	—	—	—	—	—	0.2	0.2	0.1	0.3	0.3
B2-511(0)	Inspection in agriculture	—	22.8	27.2	17.7	11.1	8.1	12.8	11.5	20.0	15.0
B2-5111	Other forms of inspection in agriculture	—	3.2	3.1	0.5	—	—	—	—	—	—
B2-519	Campaign against fraud in agriculture	—	—	—	—	0.2	0.8	—	—	—	—
B5-910	General measures to combat fraud	—	—	—	—	—	—	3.4	4.6	4.4	4.4
B6-910	Actions to combat fraud in the area of research	—	—	—	—	—	0.0	0.0	—	—	—
B7-650	Measures to combat fraud in the co-operation sector	—	—	—	—	—	—	0.0	—	—	—
B8-2510	Inspection in agriculture	—	0.1	0.3	—	—	—	—	—	—	—
B8-2511	Other forms of inspection in agriculture	—	2.1	4.1	—	—	—	—	—	—	—
Total		24.0	43.8	51.7	79.5	81.9	64.4	45.9	58.0	74.3	62.2

[1] Figures given to nearest 0.1 million ecus.

[2] Figures given to nearest 0.1 million euros.

Working Families Tax Credit

Mr. Hancock: To ask the Chancellor of the Exchequer what the cost will be of the working families tax credit in its first year. [70277]

Dawn Primarolo: The total cost of the Working Families Tax Credit in 2000–01, the first full year of the credit, is estimated to be about £4.3 billion.

Legal Services

Mr. Ruffley: To ask the Chancellor of the Exchequer if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70038]

Ms Hewitt *[holding answer 8 February 1999]:* The detailed information requested either is the subject of confidentiality or could not be provided expect at unreasonable cost (or both).

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of Junior Counsel whom departments are expected to use for the rest of the government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

Euro Notes

Mr. Maclean: To ask the Chancellor of the Exchequer which euro notes *(a)* have been and *(b)* are planned to be printed in the UK. [70604]

Ms Hewitt: As part of the Bank of England's involvement in various aspects of Euro preparatory work, they are participating in a pre-production trial for Euro notes. The printing trials of the Euro 5 and 20 are complete and the printing trial for the 50 is under way. There are no other Euro notes planned for trialing in the UK. Notes printed as part of the trial are for analytical and comparative purposes only and will not be issued.

Euro Exchange Rate

Mr. Mitchell: To ask the Chancellor of the Exchequer what representations he has made to the European Bank and to the Euro X committee about the exchange rate of the euro. [70616]

Ms Hewitt: None.

National Minimum Wage

Mr. Kemp: To ask the Chancellor of the Exchequer if he will estimate the number of people who will benefit financially in the first year from the introduction of a national minimum wage within *(a)* the Northern Region and *(b)* the city of Sunderland. [70370]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Fraser Kemp, dated 15 February 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the introduction of the national minimum wage.

The precise information you requested is unavailable. However, estimates of the proportion of people who are currently earning below the minimum wage for (a) the North East Region and (b) the Sunderland Local Authority District are available. These have been placed in the House of Commons Library under the title of "New Earnings Survey (NES) 1998—National Minimum Wage Distribution Tables".

Duty Free

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the additional full-year yield to the Exchequer which will result from the abolition of the system of duty-free goods; and if he will make a statement. [70441]

Dawn Primarolo *[holding answer 11 February 1999]:* It is not possible to predict with any degree of certainty the additional revenue which will result from the abolition of duty-free sales within Europe. Estimates are sensitive to a whole range of assumptions about the nature of the successor regime and the post-abolition marketing strategies of the duty-free operators. There is insufficient certainty on either of these points to make meaningful predictions at this stage.

Beer Duty

Mr. Nigel Jones: To ask the Chancellor of the Exchequer what were the proceeds to the Treasury, exclusive of VAT, of *(a)* each penny of beer duty and *(b)* total beer duty for each of the last 10 years for which figures are available. [70904]

Dawn Primarolo: The information requested is as follows:

£ million

Year	*Proceeds per penny*[1]	*Duty receipts*
1989	108	2,105
1990	109	2,226
1991	104	2,282
1992	103	2,376
1993	102	[2]2,230
1994	105	2,500
1995	106	2,646
1996	104	2,606
1997	107	2,682
1998	104	2,698

[1] The figures for proceeds of a penny per pint have been calculated assuming average strengths.

[2] The system for charging beer duty changed in June 1993. This led to a reduction in receipts of approximately £200 million.

VAT

Mr. Todd: To ask the Chancellor of the Exchequer what evidence he has obtained of non-charging of VAT by businesses whose potential VAT receipts are of a scale which would oblige VAT registration. [70788]

Dawn Primarolo: First, I must make it clear that only those traders whose taxable turnover exceeds £50,000 are required to register for VAT.

The Government are very concerned about those traders who under-declare their true takings to avoid paying VAT or to avoid VAT registrations. Additional staff are being devoted to this work to counter fraud, avoidance and non-compliance. Within the UK there are now 135 outfield staff deployed regionally in Shadow Economy Teams whose prime function is to tackle traders fraudulently avoiding paying VAT, including failing to register for VAT. An additional objective of this activity is to provide a level playing field for the legitimate trade. The teams also liaise with and work closely with other Government Departments.

This year these teams have identified 2,590[1] unregistered traders who should have been registered and an additional £17.1 million[1] revenue.

[1] To 30 November 1998: latest figures available for 1998–99.

Unemployment (Cambridgeshire)

Mr. Lansley: To ask the Chancellor of the Exchequer how many 18 to 24-year-olds were registered as unemployed and claiming benefit in the Cambridge travel-to-work area in (i) April 1997, (ii) April 1998 and (iii) October 1998. [70424]

Ms Hewitt *[holding answer 11 February 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Andrew Lansley, dated 15 February 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on those registered unemployed and claiming benefits in the Cambridge travel-to-work area (TTWA).

The information you have requested is derived from the monthly claimant count of people claiming unemployment-related benefits (i.e. Jobseeker's Allowance or National Insurance credits). Essentially, all people who were claiming these benefits on the count day are counted.

The data you have requested for those age 18–24 in the Cambridge TTWA is given below and are not adjusted to take account of seasonal factors.

Cambridge TTWA: Claimant count age 18–24 year olds:

April 1997: 1,018

April 1998: 818

October: 1998: 786.

Self-employed Persons

Ms Rosie Winterton: To ask the Chancellor of the Exchequer if he will estimate for each of the last five years how many people were self-employed, broken down by *(a)* occupation and *(b)* region. [70432]

Ms Hewitt *[holding answer 11 February 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Ms Rosie Winterton, dated 15 February 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the self-employed.

The data requested is set out in the attached tables and relates to Labour Force Survey estimates based on people who reported that they were self-employed in their main job.

Thousand

	1994	*1995*	*1996*	*1997*	*Spring 1998*
Self-employed people, by occupation					
UK, not seasonally adjusted					
All self-employed[1]	3,301	3,355	3,286	3,335	3,257
Managers and administrators	801	851	768	816	803
Professional occupations	367	393	400	397	420
Associate professional and technical occupations	365	347	375	407	418
Clerical and secretarial occupations	110	106	120	107	107
Craft and related occupations	976	959	934	921	859
Personal and protective services	108	118	123	135	129
Selling	144	126	122	126	128
Plant and machine operatives	222	249	241	239	215
Other occupations	201	200	194	185	180
Self-employed people, by Government Office Region					
Not seasonally adjusted					
United Kingdom	3,301	3,355	3,286	3,335	3,257
North East	91	98	87	95	93
North West (GOR) and Merseyside	321	324	339	335	298
North West (GOR)	276	268	289	290	247
Merseyside	45	55	50	45	51
Yorkshire and the Humber	232	260	258	252	248
East Midlands	222	212	216	211	223
West Midlands	264	280	258	277	263
Eastern	336	350	343	342	331
London	443	443	431	430	464
South East (GOR)	538	531	537	560	520
South West	362	376	353	361	334
England	2,810	2,873	2,820	2,863	2,775
Wales	181	161	160	153	160
Scotland	225	235	225	231	234
Northern Ireland	84	86	81	88	88

[1] Includes people who did not state their occupation

Source:

Labour Force Survey, Office for National Statistics

Wages (Paisley)

Mr. Alexander: To ask the Chancellor of the Exchequer if he will estimate how many *(a)* men and *(b)* women working (i) part-time and (ii) full-time in Paisley, South earn less than (1) £3 per hour, (2) £3.60 per hour and (3) £2.50 per hour; and in each case what is the percentage of the total number involved. [71431]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Douglas Alexander, dated 15 February 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on earnings in Paisley South.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures which are derived from a sufficiently large sample of employees, and which have an acceptable level of accuracy. Estimates of the number of men and women in Paisley South who earn less than the levels quoted cannot be provided, because the small sample size produces unreliable statistics. I have therefore provided data for Renfrewshire in the attached table. These are based on the 1998 NES, the latest for which data are available.

The NES is based on a one per cent. sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

New Earnings Survey, April 1998

Employees on adult rates, whose pay for the survey' pay-period was unaffected by absence. Hourly earnings excluding overtime payments

	Percentage earning		
	Less than £2.50	*Less than £3.00*	*Less than £3.60*
Renfrewshire			
Full-time males	0.0	0.5	3.5
Part-time males	[1]—	[1]—	[1]—
All males	0.0	0.5	3.8
Full-time females	1.7	1.7	4.3
Part-time females	[1]—	[1]—	[1]—
All females	1.9	1.9	9.2
All full-time employees	0.6	1.0	3.8
All part-time employees	[1]—	[1]—	[1]—
All employees	1.0	1.2	6.5

[1] Denotes that a reliable estimate is not available

Departmental Staff

Mr. Chaytor: To ask the Chancellor of the Exchequer if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70456]

Ms Hewitt: I refer my hon. Friend to the "Civil Service Statistics 1998", which is available in the Libraries of the House. Total numbers of staff in Departments and Agencies are provided but a regional breakdown is provided for Departmental staff only.

Gaming Duty

Mr. Maclean: To ask the Chancellor of the Exchequer what is the average increase in the income to the Treasury per transaction arising from the increase in gaming duty announced in the 1998 Budget. [70656]

Dawn Primarolo: No such estimate is available.

Private Health Care

Mr. Maclean: To ask the Chancellor of the Exchequer if he will estimate the annual average levy on a private healthcare insurance scheme as a result of the extension of insurance premium tax to such schemes in the 1997 Budget. [70678]

Dawn Primarolo: Insurance Premium Tax has applied to private medical insurance since the tax was introduced in 1994. The current rate is 4 per cent. In 1997, the legislation was amended to apply IPT again to a few insurance schemes that had been repackaged to benefit from the exemption for long-term policies. This protected £70 million tax revenue potentially at risk and removed a distortion of competition.

Fuel Duty

Mr. Maclean: To ask the Chancellor of the Exchequer how many *(a)* domestic households and *(b)* businesses have been affected by the changes in fuel and gas oil duty announced in the 1997 and 1998 budgets; and in each case what has been the average cost. [70680]

Ms Hewitt: This information is not available.

Corporation Tax

Mr. Maclean: To ask the Chancellor of the Exchequer how many businesses have been affected, and by what average amount, as a result of the reduction in the *(a)* main and *(b)* small firms rate of corporation tax in the 1997 and 1998 budgets. [70674]

Dawn Primarolo: The reductions in the main rate of corporation tax will benefit some 40,000 companies and the reductions in the small companies' rate will benefit some 360,000 companies. The full effect of the April 1997 rate cuts will occur only in payments made in 1999–2000 and similarly the full effect of the small companies' rate cut in April 1999 will occur only in payments made in 2000–01. The 1 per cent. cut in the main rate in April 1999 will start to have an effect from 1999–2000 as these companies will by then be partly paying tax in quarterly instalments.

The expected average gain for each type of company as a result of the tax cuts is given for each budget in the tables:

1997 Budget

£

	Average reduction in payment per company in:	
	1998–99	*1999–2000*
Cut in main rate from 33 per cent. to 31 per cent. on 1 April 1997	35,000	49,000
Cut in small companies' rate from 23 per cent. to 21 per cent. on 1 April 1997	500	700

1998 Budget

£

	Average reduction in payment per company in:		
	1999–2000	*2000–01*	*2001–02*
Cut in main rate from 31 per cent. to 30 per cent. on 1 April 1999	7,500	25,000	27,500
Cut in small companies' rate from 21 per cent. to 20 per cent. on 1 April 1999	neg	250	350

Pensions

Mr. Maclean: To ask the Chancellor of the Exchequer (1) what estimate he has made of the average annual cost to *(a)* a personal pension plan and *(b)* an occupational pension scheme as a result of the abolition of ACT credits; [70683]

(2) what estimate he has made of the average increase in contributions which will have to be made to *(a)* a personal pension plan and *(b)* an occupational pension scheme in order to maintain the value at maturity they would have attained had not ACT credits been abolished. [70682]

Ms Hewitt: It is for pension providers and their contributors to decide what pension contributions should be paid after taking many factors into account.

Company Cars

Mr. Maclean: To ask the Chancellor of the Exchequer what is the average number of company cars owned or leased per company in the United Kingdom. [70697]

Ms Hewitt: I regret that the information requested is not available.

Simon de Danser

Mr. Sanders: To ask the Chancellor of the Exchequer if he will make a statement about the boarding of the Simon de Danser by Customs and Excise officials. [70891]

Dawn Primarolo: I refer the hon. Member to the replies I gave to my hon. Friend the Member for Bristol, West (Valerie Davey) on 11 February 1999, *Official Report*, column *357*.

Parliamentary Questions

Mr. Whittingdale: To ask the Chancellor of the Exchequer when he proposes to answer the four parliamentary questions tabled by the hon. Member for Maldon and East Chelmsford on 14 January for answer on 18 January. [71087]

Dawn Primarolo: I have done so today.

Ice Cream Sales

Mr. Maude: To ask the Chancellor of the Exchequer if he will estimate the annual revenue from VAT on ice cream sales by mobile ice cream vendors. [71130]

Dawn Primarolo: The annual revenue from VAT on the sale of ice cream eaten away from the home is approximately £20 million. It is not possible to separate the amount from mobile vendors.

Written Answers to Questions

Tuesday 16 February 1999

ENVIRONMENT, TRANSPORT AND THE REGIONS

Whipps Cross-Redbridge Relief Road

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 27 January 1999, *Official Report*, column *252*, if he will require from the Chief Executive of the Highways Agency an explanation for the cause of the delays and cost arrears in respect of the Whipps Cross-Redbridge Relief Road; and if he will publish this explanation. [70070]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes to write to the hon. Member.

Letter from John Kerman to Mr. David Amess, dated 11 February 1999:

The Minister for Transport in London has asked Lawrie Haynes, the Chief Executive of the Highways Agency, to reply to your recent Parliamentary Question about Contract 4 of the A12 Hackney to M11 Link Road. I am replying in his absence from the office.

The start on this contract was initially delayed by protest action and, as I said in my last letter, the procurement and installation of additional specialist mechanical and electrical equipment has proved difficult.

The increase in costs is due to protester action and increases in statutory undertakers costs. The additional mechanical and electrical works required for the safe operation of the George Green tunnel also cost more than originally anticipated.

Regional Planning Guidance

Mr. Derek Twigg: To ask the Secretary of State for the Environment, Transport and the Regions when the Government will publish its new draft guidance on preparing regional planning guidance. [71422]

Mr. Caborn: Draft Planning Policy Guidance Note 11 on "Regional Planning" will be published on Monday 15 February.

Copies will be placed in the Library and made available in the Vote Office.

Ministerial Travel

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what was the total cost of accommodation and internal travel for the Minister for the Environment and those who accompanied him to the Antarctica Treaty meeting in Antarctica. [67977]

Mr. Meacher *[holding answer 28 January 1999]:* Travel costs from New Zealand to Antarctica and return, internal travel and accommodation costs in Antarctica were paid for by the New Zealand Government.

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many *(a)* civil servants and *(b)* political advisers accompanied the Minister for the Environment to the Antarctica Treaty meeting in Antarctica; and what was the total cost of their airfares; [67978]

(2) what was the cost of the flights for the Minister for the Environment to attend the Antarctica Treaty meeting in Antarctica; and in what class he travelled. [67979]

Mr. Meacher *[holding answer 28 January 1999]:* I attended an informal meeting of Ministers and senior Government officials from Antarctic Treaty Nations at the invitation of the New Zealand Government. Some 24 countries were represented. The main focus of the meeting was to look at the way the continent has been affected by environmental changes from climate change to ozone depletion. I was accompanied by one civil servant. No political adviser accompanied me.

The cost of the two return business class flights to New Zealand was £8,709. Flight costs from New Zealand to Antarctica were paid by the New Zealand Government.

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what use the Minister for the Environment made of RAF aircraft to travel to and from the Antarctica Treaty meeting in Antarctica. [67980]

Mr. Meacher *[holding answer 28 January 1999]:* None.

Ministerial Flights

Mrs. Shephard: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 28 January 1999, *Official Report*, column *335*, if he will list *(a)* the departure and arrival points for the RAF plane and helicopter flights on (i) 3 May 1997, (ii) 23 July 1997, (iii) 22 January 1998, (iv) 23 March 1998 and (v) 26 September 1998 and *(b)* the RAF units to which the planes or helicopters were attached. [69098]

Mr. Prescott *[holding answer 4 February 1999]:* The information requested is in the table.

	Departure point	*Arrival point*	*RAF Unit*
3 May 1997	Wembley	Kensington Palace	N.32 Squadron
23 July 1997	Northolt	Manchester Airport	N.32 Squadron
2 January 1998	Northolt	Riga	N.32 Squadron
23 March 1998	Humberside Airport Brussels	Brussels Northolt	N.32 Squadron
26 September 1998	Stanstead	Blackpool	N.32 Squadron

Ministers are required under the Ministerial Code to always make efficient and cost-effective travel arrangements.

In 1997–98 this Government spent £6.1 million on Ministers' visits overseas. The spend on overseas visits between April and December 1998 is £4 million. This compares to £7.8 million and £6.9 million for the last two years of the previous administration.

Waste Management Licences

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how many applications by operators to surrender waste management licences in each of the last three years have been *(a)* made and *(b)* granted. [70211]

Mr. Meale: The figures for applications made to the Environment Agency under section 39 of the Environmental Protection Act 1990 are as follows:

	1996–97[1]	*1997–98*	*1998–99*[1, 3]
Applications made under section 39 of the 1990 Act	[2]—	201	247
Applications accepted under section 39 of the 1990 Act	[2]—	128	109
Applications rejected under section 39 of the 1990 Act	[2]—	10	2

[1] 1 April-31 March

[2] No reliable figures are available for 1996–97. Following the transfer of responsibility from waste regulation authorities the central collection of statistics by the Environment Agency commenced in 1997–98.

[3] For the first 9 months of the year

Goods Vehicles

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that British haulage operators do not face unfair competition as a result of tax increases proposed on vehicles running at an 11.5 tonne drive axle weight on roads in Britain. [70103]

Ms Glenda Jackson: As my right hon. Friend the Chancellor of the Exchequer announced in his pre-Budget statement on 3 November 1998, *Official Report*, columns 681–702, vehicle excise duty rates for goods vehicles with 11.5 tonne axle weights will be set to discourage strongly the use of such vehicles, in view of the additional road damage that they cause. The Integrated Transport White Paper stated that the Government would seek to encourage the use of goods vehicles with a maximum weight of 41 tonnes on 6 axles, which have the same payload as 40 tonnes on 5 axles but cause significantly less road wear.

The Government firmly believe that the best way to help industry, including hauliers, is to create a climate of sustainable economic growth and long-term investment in business. The last Budget included a number of general measures from which hauliers could benefit: main corporation tax will be reduced to 30 per cent. from 1 April 1999, and small companies' corporation tax rate will be cut to 20 per cent. from 1 April 1999.

Local Government Reform

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the encouragement his Department is giving to local authorities to consult with the public in connection with the White Paper on local government reform. [70377]

Mr. Raynsford: Our local government White Paper makes it clear that the Government attach the highest importance to councils consulting local people as they take forward their plans to modernise. We shall shortly publish for consultation a draft Bill to transform the political management and ethical framework of councils. We expect all councils to lead a full local debate on these issues in their area.

Carbon Monoxide Poisoning

Mr. Kemp: To ask the Secretary of State for the Environment, Transport and the Regions what the expenditure was on press, radio and television awareness advertising to warn of the dangers of carbon monoxide poisoning for the last five and the current financial years. [70366]

Mr. Meale: Estimated figures for the Government's spend on press, radio, TV and other forms of Carbon Monoxide awareness material for the last five and current financial years are given in the table.

£

Financial Year	*Expenditure*
1993–94	10k
1994–95	1m
1995–96	600k
1996–97	1.25m
1997–98	238k
1998–99	270k

The peaks in expenditure in 1994–95 and 1996–97 are explained by the major TV, film and national press advertising campaigns mounted in those years. Total spending for the period is approaching £3.5 million pounds. In addition the gas supply industry has assisted in this awareness-raising effort by including advice with gas bills mailed to consumers.

Mr. Kemp: To ask the Secretary of State for the Environment, Transport and the Regions how many deaths occurred as a result of carbon monoxide poisoning in houses of multi-occupation in the period 1993 to 1998. [70368]

Mr. Raynsford: There are no specific records available for deaths from carbon monoxide (CO) poisoning in houses in multiple occupation (HMOs).

However, I can advise my hon. Friend that the Health and Safety Executive (HSE) record all gas-related deaths from CO poisoning, and whether they occur in rented or owner-occupied housing.

On average HSE have recorded 30 deaths each year since 1993. Of these, approximately one third occurred in rented accommodation.

HSE's records do not include no-gas related CO deaths (such as those caused by CO inhalation from solid fuel) which do not fall within the scope of gas safety legislation enforced by HSE.

Essential Car Use

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what representations he received on possible exemptions from charges for essential car users in response to his consultation paper, "Breaking the Logjam". [70727]

Ms Glenda Jackson: As at 11 February 1999, my Department has received 36 responses to "Breaking the Logjam", of which 18 raised the issue of exemptions from charges for essential car users. The issue has also been raised in general correspondence on a number of occasions. The closing date for responses to the consultation paper is 31 March 1999.

Genetically Modified Crops

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what evidence he has assessed that genetically modified crops have caused *(a)* deaths and *(b)* health damage to humans. [70754]

Mr. Meale: I am not aware of any evidence that genetically modified crops have caused *(a)* deaths or *(b)* health damage to humans.

Aggregates

Mrs. Dean: To ask the Secretary of State for the Environment, Transport and the Regions (1) on what date London Economics completed its field work for the second research contract into the environmental costs and benefits of the supply of aggregates; [71704]

(2) on what date he received the final conclusions of the second research contract carried out by London Economics into the environmental costs and benefits of the supply of aggregates; [71705]

(3) on what date he communicated the final conclusions of the second research contract carried out by London Economics into the environmental costs and benefits of the supply of aggregates to the Chancellor of the Exchequer. [71706]

Mr. Raynsford: The fieldwork was completed on Friday 5 February. London Economics are preparing their final report which will include the conclusions of the project. We have not yet received the final conclusions and have therefore not communicated these to the Chancellor of the Exchequer.

Housing Associations (Rents)

Ms Moran: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the housing associations identified by the Housing Corporation as having rents above their recommended levels and in each case the percentage by which their average rents exceed the Housing Corporation's recommended levels. [71139]

Mr. Raynsford: The Housing Corporation's requirement that year-on-year rent increases by registered social landlords (RSLs) should not exceed RPI+1 per cent. came into effect from 1 April 1998.

Published data on RSL rent increases relate to 1997–98, the year before the Corporation's performance standard became operative. The information is set out in a Corporation research publication (Source 32) a copy of which has been placed in the House of Commons Library. Rent increases are shown for individual RSLs with more than 250 homes in ownership or management.

The Corporation has recently visited a number of RSLs with forecast rent increases in 1998–99 above RPI+1 per cent. as well as some which had high outlying rent levels compared to other RSLs as at 31 March 1998. The purpose of these visits was to establish the reasons for the rent variations and whether strategies were in place to achieve compliance with the Corporation's performance standards. The result of these investigations will be published shortly by the Corporation. I will ensure a copy is placed in the Library.

London Underground (Consultants Fees)

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what are the total fees his Department has paid to date to consultants engaged in the financial and operational restructuring of London Underground; what additional sums he expects to pay consultants on this work; which consultants have been employed on the restructuring project; and if he will make a statement on progress made so far with the project. [71179]

Dr. Reid: The Department has not paid any money to consultants engaged in the financial and operational restructuring of London Underground. However, London Transport has spent money on such consultants and I refer my hon. Friend to the answer given to the hon. Member for Carshalton and Wallington (Mr. Brake) by my hon. Friend the Minister for Transport in London on 13 January 1999, *Official Report*, column 212. It is not normal practice to publish forecasts of total costs, for the good reason that publicising such information could undermine the public sector's ability to manage the costs of advisers.

The main consultants employed by London Transport are:

PricewaterhouseCoopers (financial)
Freshfields (legal)
Ove Arup and Partners (engineering)
Arthur Andersen (operations entity design)
PA Consulting (Infrastructure entities design and financial modelling)
Horngold and Hill (project management)
Richard Ellis (property)
Sedgwick (insurance)
Bacon & Woodrow (pensions)

Work on restructuring London Underground into one operations entity and three infrastructure entities is proceeding. London Transport expect to invite expressions of interests from potential bidders shortly.

Millennium Dome (Transport)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the contingency plans presented to his Department by London Underground last month for access to the Millennium Dome, in the event of the Jubilee Line extension not being open on time. [71419]

Ms Glenda Jackson: I have, through my Millennium Access Co-ordination Group, recently examined in detail London Underground's proposed contingency plans to manage problems on any of the main transport links to the Dome. We are now close to endorsing their proposals, but I have asked London Underground to undertake further work on certain aspects before they formally move to the next stage of mobilising the plans. A summary of the finalised plans will be placed in the Library as soon as this further work has been completed and the plans have been formally endorsed.

Endangered Species

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what controls exist on the trade in endangered species between states of the European Union. [71418]

Mr. Meale: The trade in endangered species is regulated by Council Regulation (EC) No 338/97, which implements the Convention on International Trade in Endangered Species (CITES) within the European Union. Certificates are required to enable the sale or commercial use of species listed in Annex A of the Regulation and to allow the movement of wild taken specimens of these species. Certificates are also required to enable the re-export of CITES specimens by other EU Member States and owners of CITES specimens may at any time be required to provide evidence to confirm that these were lawfully imported or acquired.

Railtrack

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make an assessment of how his policy on investment in the railway infrastructure by Railtrack is affected [illegible] Railtrack's policy on dividend payments to shareholders. [71494]

Ms Glenda Jackson: While recognising that Railtrack is a private sector company and must make a profit, the Government have made it clear that they are not convinced that enough of Railtrack's profits are being invested back into the network. Railtrack receives substantial public subsidy through the access charging regime. We need to be sure that the taxpayer is getting proper value for money.

Greater London Authority

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions how the best value regime will apply to the component parts of the GLA. [71105]

Mr. Raynsford: The Local Government Bill applies the best value regime to both the Greater London Authority, so far as it exercises its functions through the Mayor, and the four functional bodies which will deliver the main London-wide services (Transport for London, the London Development Agency, the Metropolitan Police Authority, and the London Fire and Emergency Planning Authority).

The Bill also allows for the Secretary of State to provide, by Order, for the GLA to be a best value authority in relation to specified functions of the Authority which it does not exercise through the Mayor, and specified functions which are not functions of the Authority but are functions of another best value authority.

The Secretary of State may also specify, by Order, modifications to the way in which best value would apply to these functions. Any such Orders would be subject to the affirmative resolution procedure in Parliament.

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the proportion of GLA expenditure which will be *(a)* self-financed and *(b)* met by grants. [71107]

Mr. Raynsford: In the White Paper "A Mayor and Assembly for London" published on 25 March 1998, we estimated that the annual costs of the Mayor, Assembly, their support staff and some central services would be about £20 million a year. We made it clear that the Government had decided to meet most of the cost themselves through grant and that London council tax payers would contribute about three pence a week on a Band D council tax bill.

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish an indicative budget for the GLA setting out *(a)* the component budgets, *(b)* any central support costs and *(c)* income from (i) grants, (ii) council tax and (iii) charges. [71106]

Mr. Raynsford: I will publish the GLA's budget for 2000–01, including the information requested, following the local government finance settlement in February 2000. Publication of later years budgets will be a matter for the Mayor.

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what consultations and on what timetable his Department is undertaking to inform the preparation of the GLA's first budget. [71108]

Mr. Raynsford: The GLA will not exist at the start of the financial year 2000–01, so their budget for that year will be set by the Secretary of State. Detailed transitional arrangements for the GLA's first year budget have yet to be settled. My Department will be consulting interested parties widely over the coming months, to enable the GLA's budget for 2000–01 to be prepared in provisional form by the end of November 1999 and finalised by the end of February 2000, in line with the timetable for local government finance generally.

Funerals

Mr. Collins: To ask the Secretary of State for the Environment, Transport and the Regions (1) what discussions his Department has held with *(a)* the Confederation of Burying Authorities and *(b)* the National Association of Memorial Masons regarding changes to legislation affecting funeral arrangements; [71502]

(2) when he proposes to reply to the letter from the National Association of Memorial Masons sent to him last November. [71503]

Mr. Raynsford: No discussions have yet been held. But my Department will discuss with both the Federation of Burying Authorities and the National Association of Memorial Masons the suggested legislation. I have now written to the National Association of Memorial Masons confirming the assurances which they received from my Department in December that they would be included in the discussions.

Norwegian Aviation Tax

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions if agreement has been reached with the Norwegian Government concerning the liability of British airlines to pay Norwegian aviation tax; and if he will make a statement. [70940]

Ms Glenda Jackson: The Government believe that the tax on aviation fuel, introduced by Norway on 1 January 1999, is in breach of the UK/Norway Air Services Agreement, signed in Oslo on 26 January 1979, which exempts aviation fuel for international flights from tax. Officials wrote to the Norwegian authorities on 4 January drawing attention to this apparent breach and asking them to rescind the tax. I understand that the Norwegian Government are currently reviewing the position, in the light of this and other similar representations received.

In principle, the Government are in favour of an aviation fuel tax, but we believe this should be agreed at international level. Action by individual states or by groups of states would infringe existing international agreements, distort airline competition and could have environmental disbenefits.

Bus Services (Fuel Duty)

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the eligibility criteria for rebate of fuel duty in respect of bus services. [71739]

Ms Glenda Jackson: The eligibility criteria for fuel duty rebate are reviewed from time to time.

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received urging him to include bus services within the fuel duty rebate where they are specifically designed to convey pupils to school. [71740]

Ms Glenda Jackson: We have received very few representations on this matter. Bus services specifically designed to convey only pupils to school, rather than the general public, are not eligible for fuel duty rebate. However, services provided or secured by a local education authority are eligible for rebate providing that seats on the vehicles concerned are normally available to members of the general public and are regularly used by them.

Vehicle Fuel Bills

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the average annual fuel bill for *(a)* privately owned motor vehicles, *(b)* company cars and *(c)* commercial vans and lorries. [71665]

Dr. Reid: I regret that information has not been published in the form requested, although related information on the use of vehicles and expenditure is available from a number of published sources.

Information on the relative mileage of company and private cars is available from the national Travel Survey, and published in "Focus on Personal Travel", 1998 edition. The most recent estimates are that private cars average 8.3 thousand miles per year compared to company cars' 22.6 thousand. However, on average only 11.4 thousand of that mileage is for business purposes, the remainder being for private purposes.

Information on average mileage and fuel consumption estimates are published in The Transport of Goods by Road for heavy goods vehicles, and in The Survey of Small Commercial Vehicles for smaller vans and lorries. Information on expenditure on private motoring is available from the Family Expenditure Survey.

However, I will undertake to use the relevant sources to provide estimates in the form requested and write to the Hon. Member. I will arrange for copies of the letter to be placed in the House of Commons Library.

British Waterways

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the Government's decision on the status and future of British Waterways. [71947]

Mr. Meale: An announcement on the future for British Waterways will be made on Thursday 18 February. Copies of all the relevant documents will be placed in the Library of the House on that day.

Raptors

Dr. David Clark: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in assessing the impact of raptor numbers on game bird and racing pigeon interests; and what future work is planned. [71948]

Mr. Meale: In an answer to a Parliamentary Question on 14 January 1998, *Official Report*, column *229*, my predecessor reported on the work of the Raptor Working Group which was set up in 1995 to investigate this matter.

In the last 12 months, the Group has taken forward the programme of work outlined in the Parliamentary Answer. It has concentrated on formulating possible solutions to the conflicts arising between certain birds of prey and game and pigeon interests. The Group submitted an interim report to Ministers in November 1998.

The Working Group intends to complete this year its programme of work which will include the following:

to consider the results and implications of the 1998 national survey of hen harriers; assess the results and implications of the research on raptor predation of red grouse as influenced by moorland management practices; review the findings of the Langholm management trial; assess the results of the research on interactions between racing pigeons and birds of prey and consider practical mechanisms for the resolution of any problem in this area; review outputs from Scottish Natural Heritage's Moorland Working Group and other fora; consider means to assess why illegal killing of birds is still prevalent.

It will then produce a final report and recommendations to Ministers in late 1999.

Ports Policy

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's ports policy. [71995]

Ms Glenda Jackson: The Government look to the ports industry to play an important role in the development of their integrated transport policy. This will involve the promotion of environmental sustainable transport and the regeneration of local communities in which ports have traditionally made a contribution.

We believe that all ports should be publicly accountable for their statutory powers and duties. Accountability must become a much more open process than at present, and shared with all stakeholders, not just users.

Safety cannot be left to chance. Lives and property must be protected. So, too, must port environments because many port facilities are close to important and sensitive habitats. There must be a more considered approach to port safety if acceptable standards are to be achieved throughout the industry.

We must ensure that trust ports fulfil their obligations to all the interests entrusted to them. A separate consultation paper has been issued on these proposals and responses are now being considered. The Government believe, however, that trust port status confers special obligations on these ports to operate openly and with full regard to the interests of their local communities. Without open accountability, it is not clear how fully this is achieved; the evidence suggests that in many cases it is not.

The Department is preparing a comprehensive ports policy paper and an invitation to comment has been released today. I have placed a copy of the consultation document in the Library.

Development Plans

Mr. Ian Stewart: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the draft revision of Planning Policy Guidance Note 12 on development plans. [72141]

Mr. Caborn: I am pleased to announce the publication tomorrow of a fully revised public consultation draft of PPG12 on Development Plans.

Copies will be placed in the Libraries of the House.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Peter Bradley: To ask the Attorney-General what changes he proposes for the Crown Prosecution Service's cash and running cost limits for 1998–99. [71998]

The Attorney-General: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for Class VIII Vote 4 will be increased by £1,007,000 from £228,926,000 to £229,933,000 and the gross running costs limit for Class VIII Vote 4 will be increased by £1,007,000 from £220,920,000 to £221,927,000.

The cash limit increase of £1,007,000 consists of an increase of £1,300,000 and a decrease of £293,000. The increase is required to fund the early departure costs of senior lawyers who are leaving the CPS on structural grounds as a result of implementing the move to a new 42 Area structure. The decrease results from the need to transfer £227,000 to the Treasury Solicitor's Department in respect of the balance of the cost of the Glidewell review and a transfer of £66,000 to the Home Office which represents a CPS contribution towards the cost of Integrating Business and Information Systems in the Criminal Justice system (IBIS) initiative. The increases will be offset by transfers and a change to the Reserve and will not therefore add to the planned total of public expenditure.

Departmental Cash Limits

Mr. Peter Bradley: To ask the Attorney-General what proposals there are to change the 1998–99 cash limit or running cost limit for the work of HM Procurator General and Treasury Solicitor. [71999]

The Attorney-General: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for Class VIII Vote 6 will be reduced by £411,000 from £6,257,000 to £5,846,000. The gross running costs will be increased by £771,000 from £26,763,000 to £27,534,000 whilst the running cost limit will be increased by £529,000 from £8,031,000 to £8,560,000.

The running costs limit increase is partially due to initial early retirement costs (£350,000) associated with the closure of the Government Property Lawyers' Agency which was announced to Parliament on 11 November 1998. This will be met from end year flexibility provision as announced by the Chief Secretary to the Treasury on 14 July 1998, *Official Report*, columns *131–36*. The increase is also due to the residual costs of the Crown Prosecution Service Review (£227,000) and the costs associated with the extension of powers relating to Unduly Lenient Sentences (£7,000) falling on this Vote. These will be offset by PES transfers from the Crown Prosecution Service and the Home Office respectively. A further increase in running costs is due to classification changes of European Fast Streamers income and VAT refunds.

The reduction in the cash limit is due to the increase in running costs being more than offset by lower VAT payment to Customs and Excise (£900,000), greater than expected VAT refunds on contracted out services (£55,000) and receipts from various Government Departments for services provided by the Lawyers' Management Unit (£40,000).

The increases will be offset by transfers and charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

DEFENCE

Overseas Commitments

Mr. Fraser: To ask the Secretary of State for Defence what plans he has to tackle problems of overstretch, following the increase in the United Kingdom's overseas defence commitments. [70394]

Mr. Doug Henderson: I refer the hon. Member to the answer I gave to my hon. Friends the Members for Blaydon (Mr. McWilliam) and for South Ribble (Mr. Borrow) on 25 January 1999, *Official Report*, *column 4*. The matter of overstretch is very carefully considered when operational commitments are entered into.

Press Releases

Mr. Don Foster: To ask the Secretary of State for Defence how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71445]

Mr. Doug Henderson: The Ministry of Defence Press Office issues all press notices on defence policy matters. For the period in question it has issued the following number:

	Number
1990	136
1991	145
1992	306
1993	186
1994	178
1995	147
1996	170
1997	231
1998	333

In addition to the MOD Press Office, the various regional military public relations offices issue press notices covering routine local issues, as well as copies of centrally issued press releases which they may consider to be relevant to their region. Precise figures for those press notices issued by all of the regional offices, which take account of such "duplicate" releases, could be provided only at disproportionate cost.

The two Defence Agencies which issue their own press notices are the Defence Evaluation and Research Agency (DERA) and the Met Office. The number of press notices they have issued in the period are as follows:

	DERA	*Met Office*
1990	—	—
1991	—	32
1992	—	43
1993	—	62
1994	—	24
1995	20	52
1996	23	54
1997	13	49
1998	14	44

Press notices covering appointments to MOD-sponsored non-departmental public bodies (NDPBs) are issued centrally by the MOD press office. NDPBs do issue their own press notices from time to time covering routine matters; complete records are not held centrally, however, for the period in question.

Mr. Don Foster: To ask the Secretary of State for Defence if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71460]

Mr. Doug Henderson: Rules governing the work of the Government Information and Communication Service are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Library of the House. For the period in question, the cost to my Department of distributing press releases centrally was approximately £31,000. Figures covering the Defence Evaluation and Research Agency, the Met Office and non-departmental public bodies are not separately identified within their budgets.

Iraq

Mr. Galloway: To ask the Secretary of State for Defence if he will publish the cost in each year of the enforcement of the no fly zones over the *(a)* North and *(b)* South of Iraq. [71388]

Mr. George Robertson: Enforcement of the northern and southern no-fly-zones over Iraq began in 1991 and 1992 respectively. The annual additional costs of each operation since that time are as follows:

£ million

	North	*South*
1991–92	2.6	—
1992–93	4.2	5.3
1993–94	9.6	6.5
1994–95	10.5	4.6
1995–96	5.9	4.7
1996–97	2.3	4.1
1997–98	2.3	3.4
1998–99	3.2	7.6

The figures for 1998–99 are estimates. The Southern no-fly-zone estimate in this year takes account of the deployment of RAF aircraft to Kuwait as well as Saudi Arabia.

Mr. Galloway: To ask the Secretary of State for Defence if he will publish the legal authority for the imposition and enforcement of the no fly zones over the *(a)* North and *(b)* South of Iraq. [71387]

Mr. George Robertson: Coalition patrols of the Northern and Southern no-fly zones in Iraq are in support of UNSCR 688. They are justified under international law on the basis of overwhelming humanitarian necessity. They prevent Saddam Hussein from using his air force against the Iraqi people in the north and south and enable us to monitor the actions of his forces on the ground. In responding to the threat from Iraqi air-defence systems, coalition aircraft have responded in self defence in a proportionate manner. This action is justified under international law on the basis of self defence.

RAF Flights (Staverton)

Mr. Laurence Robertson: To ask the Secretary of State for Defence what risk assessment he has carried out or has received from the RAF of flights over the North Cotswolds to the North East of Staverton Airport in Gloucestershire; what information he has received from the RAF regarding the precautions they are taking to avoid mid-air collisions in that air space; what information the RAF supplies about its flights to the authorities at Staverton Airport; what minimum height above ground level is permitted for *(a)* RAF fighters, *(b)* Hercules transport planes and *(c)* Chinook helicopters; and if he will make a statement. [71194]

Mr. Doug Henderson: Safety in the air is a key priority in all military flying activities. No specific risk assessments have been carried out in the area north-east of Staverton Airport, but my Department has carried out a detailed study into the effectiveness of 'see and avoid', the primary means of collision avoidance in open airspace. The results of this study were published on 2 February 1998, *Official Report*, column 469, and copies of the report placed in the Library of the House.

There is no requirement for the authorities at Staverton Airport to receive information about military low-flying sorties outside their aerodrome traffic zone; military aircraft wishing to pass through the zone must, however, seek permission from Staverton Airport Air Traffic Control before doing so.

The minimum separation distance for RAF fighters and Hercules aircraft between themselves and the ground, any structure or any other aircraft except those in the same formation is 250 ft. Chinooks are permitted to fly down to ground level.

Submarines and Fishing Boats

Dr. Godman: To ask the Secretary of State for Defence what plans he has to modify the regulations contained in the Submarine/Fishing Vessel Interaction Code of Practice; and if he will make a statement. [66470]

Mr. Doug Henderson *[holding answer 20 January 1999]:* The Code of Practice is regularly improved by modifications following annual Fishing Industry Liaison Meetings of representatives from the Fishing Industry and Government Departments.

Dr. Godman: To ask the Secretary of State for Defence how many allegations concerning a breach of the Submarine/Fishing Vessel Interaction Code of Practice have been brought to his notice in the past 15 months; and if he will make a statement. [66471]

Mr. Doug Henderson *[holding answer 20 January 1999]:* Two confirmed incidents have been reported to Ministers and I am aware of three further allegations, which were later shown not to be breaches of the Code. No damage or injury has resulted from any incident since the full implementation of the Code of Practice and it continues to provide an effective safety mechanism.

RN Base Faslane

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 20 January 1999, *Official Report*, column *460–61*, on RN Base Faslane, on what occasions radiation supervisors have been required to carry out the work of radiation monitors in each of the last five years; and on how many occasions all duty supervisors were carrying out such work. [69086]

Mr. Doug Henderson: There are no prescribed occasions when a Supervisor has to carry out the work of a monitor, however, supervisors can enter radiological areas as part of their duties. The number of occasions when duty supervisors carried out the work of a monitor cannot be obtained without disproportionate cost. However, the number of times supervisors have entered radiological areas in each of the last five years is as follows:

1994: 257

1995: 219

1996: 264

1997: 184

1998: 38.

Parliamentary Questions

Mr. Hoyle: To ask the Secretary of State for Defence, pursuant to his answer of 28 January 1999, *Official Report*, column *331*, on replies to parliamentary questions, how many times Exemption 2 in the Code of Practice on Access to Government Information was used by his Department in replying to questions on the subject of the Territorial Army, to justify withholding information in the last 12 months. [69397]

Mr. Doug Henderson: Once.

Civil Servants (Misconduct)

Mr. Maclean: To ask the Secretary of State for Defence if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70784]

Mr. Doug Henderson: I refer the hon. Member to the reply given to him yesterday by my hon. Friend the Parliamentary Secretary, Cabinet Office.

RAF Innsworth

Mr. Laurence Robertson: To ask the Secretary of State for Defence what discussions he has had with personnel at RAF Innsworth, Gloucestershire, about plans to reduce the level of policing of the MOD area at Innsworth; and if he will make a statement. [70892]

Mr. Doug Henderson: None. However, policing arrangements at RAF Innsworth have been reviewed recently. On present plans, the present complement will be retained for the next two years. Any proposals for subsequent changes will be subject to consultation in the usual way.

RAF Brize Norton

Mr. Woodward: To ask the Secretary of State for Defence (1) what the implications are for *(a)* staffing and *(b)* resources at RAF Brize Norton of (i) replacing the fleet of VC-10s and Tristars and (ii) the Future Strategic Tanker Aircraft programme; and if he will make a statement; [71576]

(2) what proposals he has under consideration for the transfer of staff and resources from RAF Brize Norton to Boscombe Down as a result of the Future Strategic Tanker Aircraft programme. [71578]

Mr. Doug Henderson: The MOD is in only the initial stages of discussions with a wide range of organisations interested in bidding PFI solutions to meet the requirement for the Future Strategic Tanker Aircraft

(FSTA). We have yet to receive any proposals. It is, accordingly, far too soon to speculate on implications for any particular location.

Defence Estate Organisation

Mr. Hancock: To ask the Secretary of State for Defence when he expects to set targets for the Defence Estate Organisation for 1999–2000. [71905]

Mr. Doug Henderson: We expect to be able to announce the key 1999–2000 performance targets for Defence Estate Organisation at the end of next month.

Army Cadet Force (Chorley)

Mr. Hoyle: To ask the Secretary of State for Defence where the Army Cadet Force detachment at Chorley will be accommodated in the future. [72142]

Mr. Doug Henderson: I am pleased to announce that, following consultation with the territorial Auxiliary and Volunteer Association, I have decided to reprovide the facilities currently afforded to the Army cadet Force detachment at Chorley, within the curtilage of the Territorial Army centre in which they are currently based. This will provide the cadets with up to date facilities and minimise disruption over the period of change. The remainder of the site will be disposed of, as originally announced, once the facilities for the cadets have been provided. We will, of course, liaise with the local authorities on this matter.

NORTHERN IRELAND

Long-stay Patients

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many long-stay patients there are in medical wards in *(a)* Antrim Hospital and *(b)* Whiteabbey Hospital. [70200]

Mr. McFall: There were 10 patients in medical wards in Antrim Hospital and 6 patients in medical wards in Whiteabbey Hospital who, on 9 February 1999, had been in-patients for more than 4 weeks.

Mr. Beggs: To ask the Secretary of State for Northern Ireland for how long the longest-stay patient has been in a medical ward in *(a)* Antrim and *(b)* Whiteabbey hospitals. [70202]

Mr. McFall: The patient with the longest stay in a medical ward in Antrim Hospital was admitted on 16 November 1998. The patient with the longest stay in a medical ward in Whiteabbey hospital was admitted on 1 July 1996.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many long-stay patients assessed as being ready for discharge to nursing home care are in medical wards in *(a)* Antrim Hospital and *(b)* Whiteabbey Hospital [70207]

Mr. McFall: There were 4 patients in medical wards in Antrim and 2 patients in medical wards in Whiteabbey who, at 9 February 1999, were assessed as ready for discharge to nursing or residential home care.

Nursing Care (Costs)

Mr. Beggs: To ask the Secretary of State for Northern Ireland what is the average weekly cost of providing nursing care in *(a)* private sector accommodation and *(b)* a hospital in Northern Ireland. [70201]

Mr. McFall: The information is not available in the form requested.

No separate assessment has been made centrally of the cost of providing nursing care in private sector accommodation.

Costing information on providing "nursing care" in a hospital is not available centrally and could be obtained only at disproportionate cost.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Northern Ireland if she will publish her Department's collation and assessment of responses to all the Government's public consultations. [69767]

Mr. Paul Murphy: The Service First Unit in Northern Ireland proposes to publish a Northern Ireland version of the guide: "How to conduct written consultation exercises" for Departments and Agencies in late March 1999. The guide will include a provision that, where circumstances permit, a summary of views and information collected from a consultation exercise will be made available, unless the respondents have requested confidentiality for their comments.

Portadown

Mr. McDonnell: To ask the Secretary of State for Northern Ireland how many *(a)* arrests and *(b)* convictions have been made in relation to illegal pro-Orange Order demonstrations in Portadown since July 1998. [70212]

Mr. Ingram: There have been 135 arrests and 33 persons convicted during the period July 1998 to January 1999 in connection with illegal parades in Portadown.

Mr. McDonnell: To ask the Secretary of State for Northern Ireland how many persons have been *(a)* arrested and *(b)* charged in connection with the destruction of Catholic-owned businesses in Portadown since July 1998. [70209]

Mr. Ingram: There have been no persons arrested or charged to date in connection with the destruction of Catholic-owned businesses in Portadown, where the religion of the owner is known, since July 1998.

Mr. McDonnell: To ask the Secretary of State for Northern Ireland how many arrests have been made in connection with the intimidation of Catholic families in the Craigwell area of Portadown by pro-Orange Order demonstrators. [70301]

Mr. Ingram: One person has been arrested for incitement to hatred at Craigwell Avenue. Three persons were arrested at Corcrain Bridge, close to Craigwell Avenue, for Public Order offences. Twenty one persons were arrested resulting from a riot situation at Corcrain Bridge/Charles Street.

Paramilitary Violence

Mr. MacKay: To ask the Secretary of State for Northern Ireland if paramilitary beatings are included in the factors which she has to take into account in determining whether a paramilitary organisation has ended violence permanently. [70144]

Mr. Ingram: Yes. Parliamentary beatings are a relevant consideration, among others, in coming to the judgment the Secretary of State makes under section 3(8) of the Northern Ireland (Sentences) Act 1998.

Mr. MacKay: To ask the Secretary of State for Northern Ireland if she will list the factors which she will take into account in determining whether to invoke her powers to review the list of organisations under section 3(10) of the Act in respect of an organisation not specified under section 3(8) of the Northern Ireland (Sentences) Act 1998 which is involved in paramilitary beatings, mutilations and shootings. [70135]

Mr. Ingram: The Secretary of State is under a duty from time to time to review the list of organisations which are specified organisations. In forming her belief whether the criteria in section 3(8) of the Northern Ireland (Sentences) Act 1998 are satisfied in relation to an organisation not yet specified, she takes into account the factors set out in section 3(9) of that Act and other factors relevant in the circumstances.

Mr. MacKay: To ask the Secretary of State for Northern Ireland what reports she has received from the RUC on the involvement of members of paramilitary organisations not specified by order under section 3 (8) of the Northern Ireland (Sentences) Act 1998 in paramilitary beating, mutilations and shootings in Northern Ireland; and what assessment she has made of these reports. [70139]

Mr. Ingram: Reports are frequently received from the Royal Ulster Constabulary on these attacks. The Secretary of State takes them into account in assessing the state of ceasefires under section 3(8) of the Northern Ireland (Sentences) Act 1998.

Mr. MacKay: To ask the Secretary of State for Northern Ireland (1) what factors she will take into account in determining whether paramilitary beatings carried out by organisations not specified by order under section 3(8) of the Northern Ireland (Sentences) Act 1998 constitute a breach of the ceasefires; [70136]

(2) what factors she takes into account in reaching the judgment that a paramilitary ceasefire is complete and unequivocal. [70145]

Mr. Ingram: My right hon. Friend the Secretary of State takes into account the factors set out in section 3(9) of the Northern Ireland (Sentences) Act 1998 and such other factors as are relevant in the circumstances to the judgment she makes, for the purposes of section 3(8) of that Act, as to whether a ceasefire has been established, and is being maintained, which is complete and unequivocal.

Prisoners

Mr. MacKay: To ask the Secretary of State for Northern Ireland how many persons convicted of a qualifying offence set out in the Northern Ireland (Sentences) Act 1998 have been released from prison under the Accelerated Release Scheme. [70143]

Mr. Ingram: To date, there have been 241 prisoners released under the terms of the Northern Ireland (Sentences) Act 1998. This is drawn from information received by the Secretary of State as at 9 February 1999 from the Sentence Review Commissioners to whom prisoners apply for early release.

Mr. MacKay: To ask the Secretary of State for Northern Ireland how many persons released from prison in Northern Ireland under the terms of the Northern Ireland (Sentences) Act 1998, were serving *(a)* a fixed term sentence of at least five years and *(b)* imprisonment for life. [70142]

Mr. Ingram: In order to be eligible for release under the terms of the Northern Ireland (Sentences) Act 1998, persons must be serving fixed term sentences of 5 years or more, or imprisonment for life. All those released fall into these categories. A breakdown is given.

This is drawn from information received by the Secretary of State as at 9 February 1999 from the Sentence Review Commissioners to whom prisoners apply for early release.

Life sentence/fixed term	*Total*
Lifers	74
Fixed term	167
Grand total	241

Mr. MacKay: To ask the Secretary of State for Northern Ireland how many persons convicted of qualifying offences will be eligible for accelerated release from prison under the terms set out in the Northern Ireland (Sentences) Act 1998. [70224]

Mr. Ingram: To date, there have been 241 prisoners released under the terms of the Northern Ireland (Sentences) Act 1998, with a further 150 prisoners who have successfully applied to the Sentence Review Commission and who have received Substantive Determinations with a release date in the future. This gives a total of 391 eligible prisoners. This is drawn from information received by the Secretary of State as at 9 February 1999 from the Sentence Review Commissioners to whom prisoners apply for early release.

Mr. MacKay: To ask the Secretary of State for Northern Ireland how many persons convicted of a scheduled offence, including murder, and serving a fixed term sentence of at least five years will still be in prison two years from the date of the commencement of the Accelerated Release Scheme set out in the Northern Ireland (Sentences) Act 1998. [70141]

Mr. Ingram: Persons eligible for consideration for the Accelerated Release Scheme who will still be in prison two years from the date of the commencement of the Accelerated Release Scheme will include:

those who have not applied to the Sentence Review Commission

those who, although eligible to apply, and having made application, have failed to satisfy the criteria for release

those who at the second anniversary of the commencement of the Scheme will not have served the minimum period required under Section 10(7) of the Northern Ireland (Sentences) Act 1998.

At this point in time it is not possible to quantify how many eligible persons may still be in prison on the date in question.

Security Arrangements

Mr. MacKay: To ask the Secretary of State for Northern Ireland what discussions she has had on the normalisation of security arrangements in Northern Ireland with those Northern Ireland parties represented in the Assembly. [70269]

Mr. Ingram: None. Individual normalisation measures are operational decisions for the Chief Constable to take in the light of his assessment of the threat at the time and the advice of the General Officer Commanding. Local MPs are consulted as appropriate. The Secretary of State is responsible for developing the Government's overall strategy and has not had discussion with Northern Ireland parties represented in the Assembly on the strategy paper she intends to publish soon.

Mr. MacKay: To ask the Secretary of State for Northern Ireland what progress has been made on the removal of security installations in Northern Ireland since 10 April 1998. [70274]

Mr. Ingram: Since 10 April 1998, nine security installations (two sangars and seven Permanent Vehicle Checkpoints) have been demolished, one Army Base has been vacated and is being demolished and seven Patrol Bases have been vacated and closed down.

The decisions to demolish and vacate these installations were based on the operational assessment of the Chief Constable consistent with the threat level.

The following are the nine installations which have been demolished:

Sangar at Crumlin road, Belfast and the Hill top sangar overlooking the former PVCP on the main Belfast-Dublin road at Cloghogue, Newry; and

Permanent Vehicle Checkpoints at Bessbrook (3), Aughnacloy, The Hump, Strabane, Muff, Londonderry and Letterkenny road, Londonderry.

The Fort Whiterock Army base in West Belfast has been vacated and is presently being demolished.

The following are the seven Patrol bases in Co. Fermanagh which have been vacated and closed down:

Mullan bridge

Roscor bridge

Wattle bridge

Gortmullan

Annaghmartin

Killyvilly

Clonatty Bridge.

Mr. MacKay: To ask the Secretary of State for Northern Ireland (1) what progress has been made in the reduction of the numbers and role of armed forces deployed in Northern Ireland since 10 April 1998; [70273]

(2) if she will list the de-escalation in security measures in Northern Ireland that has taken place since 10 April 1998. [70137]

Mr. Ingram: Since the reinstatement of the Provisional IRA ceasefire in July 1997, the Chief Constable has announced a progressive reduction in security measures in the Province. Each step has been fully consistent with the level of threat and taken after a review of the security situation.

From 10 April to the end of August, key factors which influenced the levels of security across the Province included attacks on security forces, the marching season and terrorist incidents, the most serious being the bomb in Omagh.

However, from September, the following measures have been taken:

Base Reductions

October

Vacation of Letterkenny, Muff and Hump vehicle checkpoints

Demolition of Crumlin Road Sangar

Demolition of R16 Road Sangar

Announcement of closure of Fort Whiterock

November

Demolition of three PVCPs at Bessbrook

Work started (and continues) to demolish Letterkenny vehicle checkpoint

January 1999

Work started (and continues) to demolish Fort Whiterock Army Base

Closure of 7 Fermanagh Base Patrols

February 1999

Demolition completed of Muff vehicle checkpoint

Demolition completed of Aughnacloy vehicle checkpoint

Demolition completed of Hump vehicle checkpoint

Troop Movements

September

The last remaining company of the Rural Reinforcement Battalion (RRB) returned to the Mainland

October

The last remaining company of the Urban Reinforcement Battalion (URB) returned to the Mainland

November

Drumadd Roulement Battalion (DRB) returned to the Mainland

Military Patrol Support to RUC

September

Military patrols ceased in Belfast Region

Military patrols ceased in South Derry

October

Military patrols ceased in Waterside and City side, Londonderry

Military patrols ceased in RUC G Division

November

Military patrols ceased in the Strabane Sub Division.

Health Board Funding

Mr. Moss: To ask the Secretary of State for Northern Ireland when the capitation formula for the health boards was last determined; and what changes to the funding formula per board are proposed over the current planning period. [70099]

Mr. McFall: The current Regional capitation formula was determined in September 1997 and was first used to inform the 1998–99 allocation to Health and Social Services (HSS) Boards.

The following changes, which will apply to all HSS Boards, are proposed over the current planning period:

(i) the updating of the age and sex expenditure weights currently used in the formula;

(ii) the development and implementation of Northern Ireland specific indicators of need in those parts of the formula which currently have interim weightings based on English research.

(iii) the development and implementation of weightings designed to compensate Boards in respect of the possible additional need for, and additional cost of, providing services in rural areas; and

(iv) the development and implementation of an improved methodology for adjusting Board allocations based on the capacity of each Board's residents to fund (in total or in part) their own care.

Mr. Moss: To ask the Secretary of State for Northern Ireland what funding was given to each of the health boards in Northern Ireland in each of the past five years. [70101]

Mr. McFall: Details of the Health and Personal Social Services (HSS) Board allocations for 1993–94 to 1997–98 for the purchase of health and social care are shown in the following table:

£000

Financial year	*Northern HSS board*	*Southern HSS board*	*Eastern HSS board*	*Western HSS board*	*Total*
1993–94	206,711	169,130	411,015	145,838	932,694
1994–95	222,059	181,762	423,774	154,446	982,041
1995–96	238,619	193,290	448,641	166,096	1,046,646
1996–97	252,246	194,613	434,200	181,369	1,062,428
1997–98	261,667	203,320	452,228	189,586	1,106,801

Fracture Service

Mr. Moss: To ask the Secretary of State for Northern Ireland from what budgets the recently announced £4 million for an improved fracture service in the Northern Ireland Health Service will be funded; and how much will be distributed to each health board. [70096]

Mr. McFall: The announcement on 20 January 1999 of £4 million for improved fracture services related to a capital scheme to enable the centralisation of fracture and accident and emergency services on the Royal Victoria Hospital site. The funding will provide enhanced and extended facilities and equipment at the Royal Victoria Hospital. The project will also involve additional investment of £1.1 million per year to provide additional scheduled theatre lists on the RVH site, increased outreach clinics in Antrim and Craigavon Hospitals and additional consultant sessions for outpatients. Both these sums will be met from the CSR settlement for the HPSS which I announced on 15 December 1998.

Waiting Lists

Mr. Moss: To ask the Secretary of State for Northern Ireland how many people were on waiting lists in each month in the past five years in the Northern Ireland Health Service for each recorded speciality. [70098]

Mr. McFall: The number of people on waiting lists in the last five years in the Northern Ireland Health Service for each recorded speciality are not available monthly. Data are available on a quarterly basis from June 1994 and are set out in the table.

Table 1: Number on inpatient waiting list by specialty, June 1994 to September 1996

	Quarter ending									
Specialty	*June 1994*	*September 1994*	*December 1994*	*March 1995*	*June 1995*	*September 1995*	*December 1995*	*March 1996*	*June 1996*	*September 1996*
General surgery	8,381	8,348	8,275	8,442	8,187	8,825	9,166	8,698	9,023	10,367
Urology	2,647	2,691	2,886	2,509	2,750	2,923	2,901	2,668	3,015	3,389
T & O	3,124	3,134	3,010	2,753	2,906	3,174	3,427	3,570	4,158	4,579
ENT	5,478	4,836	4,764	5,117	5,516	5,243	5,168	5,561	5,768	5,688
Opthalmology	4,988	4,621	4,519	4,340	4,064	3,897	4,036	3,807	4,079	4,204
Oral Surgery	835	734	751	832	942	1,027	938	884	943	911
Paediatric dentistry	103	135	127	101	106	74	57	70	64	71
Neurosurgery	267	246	232	231	247	271	302	296	308	347
Plastic surgery	2,401	2,323	2,283	2,658	2,829	2,643	2,557	2,463	2,511	2,552
Cardiac surgery	521	449	443	398	395	460	471	495	539	521
Paediatric surgery	1,706	1,586	1,477	1,534	1,623	1,411	1,251	1,231	1,277	1,341
Thoracic surgery	88	135	138	155	135	130	142	153	171	183
Accident and emergency	0	0	5	7	6	4	6	9	8	3
Anaesthetics	504	485	469	369	359	355	414	456	483	544
General medicine	213	251	293	456	386	584	468	549	610	672
Gastroenterology	131	169	252	313	275	263	269	318	338	446
Endocrinology	0	0	22	19	27	15	24	28	25	28
Haematology (Clin.)	0	0	2	1	4	11	8	5	4	15
Cardiology	702	666	713	685	722	727	[illegible]	781	890	956
Dermatology	124	374	345	370	466	478	300	268	287	300
Thoracic Med	0	25	15	29	29	23	41	30	30	31
Nephrology	2	5	6	7	6	—	8	3	—	2
Neurology	94	81	86	80	95	92	102	112	116	127

Table 1: Number on inpatient waiting list by specialty, June 1994 to September 1996

	Quarter ending									
Specialty	*June 1994*	*September 1994*	*December 1994*	*March 1995*	*June 1995*	*September 1995*	*December 1995*	*March 1996*	*June 1996*	*September 1996*
Rheumatology	39	114	135	159	189	259	257	293	300	296
Paediatrics	0	0	6	31	39	41	28	22	25	13
Paediatric Neurology	0	0	0	6	4	3	2	5	2	5
Geriatric med	31	46	39	36	16	24	19	26	29	32
Dental medicine specialties	0	0	0	0	0	0	0	0	0	0
Gynaecology	3,299	3,283	3,514	3,315	3,369	3,511	3,616	3,511	3,513	3,598
Clinical oncology	70	67	75	62	60	59	67	65	58	69
Haematology	0	0	0	0	0	0	0	0	0	0
Histopathology	0	0	0	0	0	0	0	0	0	0
Other	31	0	[illegible]	0	0	0	0	0	0	0
All specialties	35,779	34,804	34,9[illegible]	35,015	35,752	36,524	36,803	36,377	38,574	41,290

Number on inpatient waiting list by specialty, December 1996 to December 1998

	Quarter ending								
Specialty	*December 1996*	*March 1997*	*June 1997*	*September 1997*	*December 1997*	*March 1998*	*June 1998*	*September 1998*	*December 1998*
General surgery	11,685	12,549	12,624	13,445	13,933	12,568	12,465	11,970	11,612
Urology	3,338	3,566	3,489	3,662	3,546	3,389	3,744	3,521	3,509
T & O	4,754	4,952	5,232	5,237	5,333	5,336	4,939	5,278	5,500
ENT	5,148	6,154	6,289	6,027	6,138	6,174	6,389	6,153	5,819
Opthalmology	4,368	4,307	4,502	4,344	4,580	4,517	4,781	4,745	4,623
Oral Surgery	884	801	499	532	468	502	542	662	594
Paediatric dentistry	91	96	108	101	105	134	126	102	133
Neurosurgery	360	406	404	405	403	419	425	422	413
Plastic surgery	2,514	2,587	2,887	2,939	2,966	2,773	2,587	2,378	2,307
Cardiac surgery	528	550	573	533	529	512	463	437	473
Paediatric surgery	1,390	1,430	1,554	1,558	1,625	1,421	1,182	1,042	794
Thoracic surgery	192	228	205	207	197	186	201	186	195
Accident and emergency	3	7	7	11	2	0	0	5	11
Anaesthetics	558	557	552	627	644	729	814	837	868
General medicine	748	838	871	734	940	1,135	1,154	1,058	1,255
Gastroenterology	458	446	455	476	494	472	528	619	568
Endocrinology	24	23	14	20	31	29	26	21	27
Haematology (Clin.)	2	1	1	3	1	0	0	0	23
Cardiology	877	947	892	949	1,012	973	1,026	997	979
Dermatology	276	277	214	294	298	247	262	333	413
Thoracic Med	21	16	25	3	10	5	4	1	1
Nephrology	1	3	68	62	84	75	114	120	117
Neurology	146	203	223	210	235	244	283	229	156
Rheumatology	267	319	320	358	302	406	338	311	395
Paediatrics	15	15	21	18	11	16	11	11	15
Paediatric Neurology	2	3	3	2	1	2	0	0	0
Geriatric med	13	15	39	15	20	18	19	15	15
Dental medicine specialties	0	0	0	0	2	3	9	0	0
Gynaecology	3,901	4,415	4,414	4,650	4,758	4,619	4,779	4,912	4,853
Clinical oncology	50	58	57	39	66	97	69	59	57
Haematology	0	0	1	0	1	4	3	4	2
Histopathology	0	0	0	0	5	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
All specialties	42,614	45,769	46,543	47,461	48,740	47,005	47,283	46,428	45,727

Source:
CH1

Action for Community Employment

Mr. Moss: To ask the Secretary of State for Northern Ireland (1) how many (i) men and (ii) women aged *(a)* 18 to 24 and *(b)* over 25 years old were employed under the ACE programme each month during 1998; [70074]

(2) how many jobs have been lost under the ACE programme in each of the past 12 months; [70072]

(3) how many people moved from the ACE programme into permanent jobs in each of the past five years; [70071]

(4) how many (i) men and (ii) women aged *(a)* 18 to 24 and *(b)* over 25 years old were employed under the ACE programme in each of the last five years; [70075]

(5) when the ACE programme is to be terminated. [70073]

Mr. Ingram: Responsibility for these issues has been delegated to the Training and Employment Agency under its Chief Executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Ian Walters to Mr. Malcolm Moss, dated 15 February 1999:

Parliamentary Questions 70071–70075

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training and Employment Agency to reply to your questions about the Action for Community Employment (ACE) programme.

Parliamentary Question 70071

Details of the number of people moving from ACE into permanent employment are derived from a biannual survey of those who have left the programme. The flow into employment is therefore based on those who respond to the survey. The figures for the last five years for which data is available are

Year	*Into employment (percentage)*
1993	35
1994	38
1995	38
1996	37
1997	44

Parliamentary Question 70072

During 1998 there was a net reduction in the number of jobs provided by ACE but in some months there was in increase. In December 1997, 4,334 jobs were provided and the movements over the following 12 months:

Month	*Increase/Reduction*
January	–33
February	+18
March	–36
April	–11
May	–.09
June	–.19
July	–.63
August	–81
September	+12
October	+44
November	+20
December	+62

Number of jobs at end of December 1998: 3939

Reduction over 12 month period: 496

Parliamentary Question 70073

The ACE programme will be phased out during 1999 and its replacement, Worktrain, will become operational in August 1999. Transitional arrangements will be made for those remaining in ACE beyond July 1999.

Parliamentary Question 70074

Details of the number of participants by age group in the ACE programme were not collected prior to the introduction of New Deal.

Since early 1998, approximately 25 per cent. of ACE participants were aged between 18 and 24. Following the introduction of the New Deal for 18–24 year olds, recruitment of people in this age group into ACE was discontinued. Numbers have now reduced to 194 females and 189 males. I expect that by April 1999 there will be no 18 to 24 year olds participating in ACE.

At the end of December 1998 there were 2,111 females and 1,344 males (total 3,455) in the 25+ age group participating in the ACE programme.

Parliamentary Question 70075

As I explained in my answer to question 70074, prior to the introduction of New Deal, information on the age of ACE participants was not collected. However on the assumption that approximately 25 per cent. of participants were in the 18–24 years group, (as was the situation whenever New Deal was introduced) and 7.1 per cent. were over 25 years, then the following estimates apply:

Average occupancy

Year	*18–24 years old*		*Over 24 years old*		*Totals*		
	Female	*Male*	*Female*	*Male*	*Female*	*Male*	*Grand Total*
1994–95	1,123	1,188	3,406	3,575	4,538	4,762	9,301
1995–96	1,154	1,136	3,477	3,422	4,631	4,559	9,189
1996–97	920	820	2,769	2,466	3,689	3,286	6,975
1997–98	701	559	2,111	1,678	2,812	2,237	5,049
1998–99[1]	194	189	2,206	1,311	2,400	1,500	3,900

[1] Estimated outturn figures

I hope you find this reply useful.

Arms Decommissioning

Mr. Field: To ask the Secretary of State for Northern Ireland what information she has obtained on public attitudes in *(a)* Northern Ireland and *(b)* the Republic of Ireland towards (i) decommissioning of arms and (ii) punishment beatings. [71582]

Mr. Ingram: The Secretary of State is fully aware of the attitudes of the majority of people in Northern Ireland towards decommissioning and paramilitary attacks. The Government are committed to implementing all aspects of the Good Friday Agreement.

Obtaining information on public attitudes in the Republic of Ireland is a matter for the Irish Government.

National Lottery

Mr. Moss: To ask the Secretary of State for Northern Ireland how much money from the National Lottery Distribution Fund has been paid to *(a)* environmental, *(b)* educational, *(c)* health and *(d)* tourism programmes in Northern Ireland in each of the past five years. [70100]

Mr. Banks: I have been asked to reply.

To date the Lottery distributing bodies have made 1,634 awards to the value of £497 million in Northern Ireland. The table shows a breakdown by Good Cause. Many of these projects are likely to contribute to the environment, health, education and tourism of Northern Ireland but these cannot be separately identified in the way requested.

The National Lottery Act 1998 created a new good cause allowing Lottery money to fund innovative projects in health, education and the environment. These initiatives will be run by a new distributor, the New Opportunities Fund (NOF). NOF has begun to invite applications and will be making its first awards this spring.

Details of Lottery awards for Northern Ireland and the rest of the UK are listed on the Department for Culture, Media and Sports website at www.lottery.culture.gov.uk.

Distributing body	*Number of awards*	£ *Value of awards*
Arts Council for Northern Ireland	426	27,142,851
Sports Council for Northern Ireland	406	30,455,505
National Lottery Charities Board	672	38,353,915
Heritage Lottery Fund	93	27,168,986
Millennium Commission	37	374,722,232
Total	1,634	497,843,489

PRESIDENT OF THE COUNCIL

Ministerial Visits

Mr. Gray: To ask the President of the Council if she will list the parliamentary constituencies which she has visited in an official capacity in the past 12 months. [71338]

Mrs. Beckett *[holding answer 15 February 1999]:* Both myself and the Parliamentary Secretary have undertaken a number of visits to regions since taking up office at the Privy Council. Records for official visits are not held on a constituency basis, and most will have taken in more than one constituency at a time. The following cities or regions were visited:

East Midlands

West Midlands

Welwyn Garden City

Lincoln

Skegness

Newcastle

Doncaster

Darlington.

Additionally, we have visited a number of constituencies in London as part of our official duties.

HOUSE OF COMMONS

Norman Shaw Buildings

Mr. Winnick: To ask the Chairman of the Accommodation and Works Committee how long the temporary arrangement is due to last for the provision of a passage between the House and the Norman Shaw buildings. [70996]

Sir Sydney Chapman *[holding answer 15 February 1999]:* As part of the agreement with London Underground Ltd. for the development of Westminster station and Portcullis House, they have built a new public subway under Bridge Street which opened last week. The next stage is for London Underground to refurbish the old subway, which will then provide a direct and private link between the Palace and the outbuildings to the north of the Street.

It is anticipated that the subway will re-open in the latter part of 2000.

INTERNATIONAL DEVELOPMENT

ASSIST Programme

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the Secretary of State for Foreign and Commonwealth Affairs about the ASSIST programme. [71057]

Clare Short: I have discussed the ASSIST programme with the Secretary of State for Foreign and Commonwealth Affairs with a view to ensuring that we take a consistent approach across government to security sector issues.

Officials of my Department have also discussed the ASSIST programme with officials of the Foreign and Commonwealth Office.

Arms Exports

Dr. Tonge: To ask the Secretary of State for International Development on how many occasions the full interdepartmental working group on overseas development co-operation has met at ministerial level since 25 September 1998; and what discussions it has held on arms exports. [71043]

Clare Short: The Interdepartmental Working Group on Development (IDWG) last met on September 25 1998. A further meeting will be held in the spring.

The IDWG has discussed broad issues of security sector reform but has not specifically discussed arms exports.

Ministry of Defence

Dr. Tonge: To ask the Secretary of State for International Development (1) what discussions she has had with the Secretary of State for Defence about the new Defence Diplomacy Mission; [71058]

(2) what discussions she has had with the Secretary of State for Defence on the Ministry of Defence's outreach assistance programme and the use of the British Military Assistance Fund. [71059]

Clare Short: There are close contacts at Ministerial and official level between my Department and the Ministry of Defence. These cover a wide range of Defence Diplomacy and related issues, including Outreach and the use of the Defence Military Assistance Fund.

Security Sector Reform

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on her Department's policy on using the European Community Development Budget funds to finance security sector reform activities and initiatives to remove small arms from circulation. [71044]

Clare Short: The possibility of using EU development funds to finance security projects is a difficult issue from a legal point of view. The Commission enjoys competence in the field of development co-operation under the EU's first pillar, competence on conflict prevention and resolution rests with Member States under the EU's second pillar (known as the Common Foreign and Security Policy). We are making progress, however, in advancing the principle that wherever possible, development assistance should contribute to the prevention of conflict; the November 1998 Development Council agreed conclusions to this affect.

Press Releases

Mr. Don Foster: To ask the Secretary of State for International Development if she will set out the conventions governing the propriety and cost of press releases issued by her Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71465]

Clare Short: Rules governing the work of the Government Information and Communications Service (GICS) are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Library of the House.

Since May 1997, the Department for International Development has issued 110 press releases. The total cost of these press releases is approximately £13,000. The costs include postage and wire service.

The Commonwealth Development Corporation has issued 42 press releases since May 1997. The total cost of these press releases is approximately £6,000. The costs include postage, wire service, photocopying and consultancy services.

Mr. Don Foster: To ask the Secretary of State for International Development how many press releases have been issued by her Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71450]

Clare Short: The Department for International Development has issued the following number of press releases in each of the years 1990 to 1998:

Year	*Number*
1990	114
1991	102
1992	111
1993	94
1994	106
1995	71
1996	50
1997	58
1998	74

The only relevant agency or non-departmental body to issue press releases is the Commonwealth Development Corporation which has issued the following number of press releases in each of the years 1990 to 1998:

Year	*Number*
1990	no figures available
1991	no figures available
1992	no figures available
1993	no figures available
1994	no figures available
1995	9
1996	20
1997	16
1998	28

Sudan

Mrs. Gillan: To ask the Secretary of State for International Development if her Department has provided or offered assistance *(a)* bilaterally and *(b)* through Operation Lifeline Sudan, to (i) the Government of Sudan, (ii) the rebel movement in Sudan and (iii) non-Governmental organisations active in Sudan, for de-mining projects in Sudan. [71768]

Clare Short: While a state of civil war continues to exist, we will not offer assistance for de-mining projects in Sudan.

Mrs. Gillan: To ask the Secretary of State for International Development when the facilities at Malakal, El-Obeid and Khartoum airports were first offered by the Government of Sudan as air transport centres for Operation Lifeline Sudan humanitarian relief flights; when Sudanese airport facilities started to be used by Operation Lifeline Sudan; for what reasons these internal Sudanese facilities were not used earlier by Operation Lifeline Sudan; and what are the estimated savings to Operation Lifeline Sudan of using El-Obeid and Khartoum airports. [71686]

Clare Short: The Government of Sudan have offered for some years the use of airports in the north of the country for relief flights to the south, but donors have preferred to operate from an independent base in Kenya. Northern Sudanese air strips were used last year for the first time because of the greatly increased need due to the crisis. The difference in cost is not yet known, but a major independent study of Operation Lifeline Sudan, undertaken in 1996, concluded that it would be marginal.

The cost of delivering food by air in Sudan last year was approximately 15 times the World Food Programme's average world wide food delivery cost. Real savings for the relief effort will come from maximising land routes, including rail, for delivery of humanitarian assistance to vulnerable areas of southern Sudan. We are pressing the UN to make progress on this.

Mrs. Gillan: To ask the Secretary of State for International Development if she will list the non-Governmental organisations working in Sudan which have received funding from her Department, or its predecessor, over the past eight years; and what the level of funding for each was in those years. [71765]

Clare Short: This information is included in the following table.

£

NGO expenditure	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*[1]	*Total*
Aain	—	—	—	—	65,584	374,608	33	—	—	440,225
ACORD	1,800,000	750,000	290,000	365,000	203,356	71,925	59,531	50,000	50,000	3,639,812
Across	—	208,904	—	100,000	—	—	—	—	40,000	348,904
Action Disability and Development	18,612	—	—	—	—	—	—	—	—	18,612
Aief	—	—	—	—	250,000	450,000	—	—	—	700,000
Aktion Afrika Hilfe	—	—	—	—	—	—	50,000	133,961	—	183,961
Amref	39,000	—	—	—	—	—	—	—	—	39,000
British Red Cross	1,000,000	184,558	—	289,360	608,179	200,000	—	—	250,000	2,532,097
CAFOD	300,000	—	634,976	329,750	1,786,978	—	105,404	—	4,000	3,161,108
CARE	2,998,486	6,365,553	3,305,186	1,997,676	1,724,974	511,327	896,201	1,127,042	716,694	19,643,139
Christian Aid	400,000	2,196,320	554,601	216,666	441,804	—	—	—	334,330	4,143,721
Christian Outreach	310,000	245,682	175,000	221,000	143,850	150,000	35,000	—	—	1,280,532
CONCERN	161,000	344,475	224,244	272,737	—	—	—	—	—	1,002,456
GOAL	—	21,744	6,909	245,000	322,290	—	75,681	16,433	511,355	1,199,412
Health Unlimited	—	—	9,515	—	—	—	—	—	—	9,515
Help the Aged	60,000	60,000	60,000	—	—	—	—	—	—	180,000
ICRC	—	184,558	—	—	—	—	—	—	1,000,000	1,184,558
IFRC	—	—	—	—	—	—	—	315,000	—	315,000
International Extension College	150,000	153,785	100,000	100,000	100,000	100,000	—	12,097	—	715,882
Islamic Relief	—	—	—	—	59,945	59,602	59,125	—	—	178,672
Merlin	—	—	—	—	—	—	—	—	731,418	731,418
MSF	—	—	62,000	—	447,323	—	589,028	274,172	2,608,775	3,981,298
Ockenden Venture	258,268	145,217	272,172	199,950	118,000	201,050	231,585	68,492	—	1,494,734
Oxfam	—	—	100,000	10,000	740,854	439,635	183,256	880,801	87,000	2,441,546
Plan International	267,998	44,000	49,500	55,000	—	—	—	—	—	416,498
SCF	1,720,799	2,135,414	2,107,767	2,930,062	1,800,265	964,892	1,137,716	1,323,923	636,055	14,756,893
SOS Sahel International	49,210	43,969	27,605	34,579	36,062	17,689	—	—	—	209,114
Tear Fund	—	—	—	—	—	—	94,408	—	25,540	119,948
Vetaid	—	—	—	—	—	106,800	198,419	—	—	305,219
World Vision	—	31,250	—	—	50,074	394,090	186,296	72,352	233,393	967,455
You and Me	40,000	32,446	36,800	—	32,700	34,250	20,000	14,000	—	210,196
Total	9,573,373	13,147,875	8,016,275	7,366,780	8,932,238	4,075,868	3,921,683	4,288,273	7,228,560	66,550,925

[1] Estimated

Mrs. Gillan: To ask the Secretary of State for International Development how many personnel within Operation Lifeline Sudan directly monitor food aid diversion. [71789]

Clare Short: The World Food Programme has increased the number of food aid monitors to 125 as part of its response to the joint OLS/SRRA/SPLA Task Force Report.

Mrs. Gillan: To ask the Secretary of State for International Development what guidelines have existed for Operation Lifeline Sudan's procurement of food supplies for its emergency food aid programmes; and if Operation Lifeline Sudan is procuring food from within Sudan itself. [71767]

Clare Short: Operation Lifeline Sudan itself does not procure food. This is the responsibility of the UN World Food Programme, international agencies and non-governmental organisations operating in Sudan who have a full range of policies and procedures for the procurement of food and related services. Food is purchased from within Sudan when this represents the most cost effective option.

Mrs. Gillan: To ask the Secretary of State for International Development how many of his staff monitor food aid diversion in Sudan. [71799]

Clare Short: Operation Lifeline Sudan (OLS) monitors food aid diversions. We regularly raise this and other humanitarian issues with the SPLA both bilaterally and in concert with OLS. It was discussed most recently on 25 January in London with SPLA's UK representatives and on 26 January in Nairobi at a joint OLS/Donor meeting with John Garang, leader of the SPLA. At both meetings, assurances were given that action against food aid diversions would be taken.

Mrs. Gillan: To ask the Secretary of State for International Development (1) if she will estimate the amount of food aid misappropriated by combatants in southern Sudan; [71796]

(2) what estimate she has received from Operation Lifeline Sudan of the amount of food aid misappropriated by combatants in southern Sudan. [71797]

Clare Short: No definitive figures are available and the scale of diversions by the Sudan People's Liberation Army (SPLA) and government supported militias vary with location. During November and December, the UN World Food Programme estimated that 3.47 per cent. of food aid delivered was diverted overall. It is suspected that further losses occur after the food has been distributed.

The Task Force report on a mission carried out jointly by Operation Lifeline Sudan (OLS), the Sudan Relief and Rehabilitation Association (SRRA) and the SPLA in August 1998 identified a number of cases of diversion. Copies of this report are being deposited in the House of Commons Library.

Mrs. Gillan: To ask the Secretary of State for International Development what official reports she has received on food aid diversion in southern Sudan in the past 12 months. [71792]

Clare Short: We received the report of the OLS/SRRA/SPLA Joint Targeting and Vulnerabilities Task Force in SPLA Controlled Areas of Bahr el Ghazal in August 1998. Copies are being deposited in the House of Commons Library.

Mrs. Gillan: To ask the Secretary of State for International Development what assessment she has made of the effect on the population of the floods in Sudan in 1998, and the effectiveness of the response of the Government of Sudan and the international community to the floods. [71685]

Clare Short: Many thousands of people were adversely affected by the floods in Sudan last year. We contributed £250,000 towards the flood relief efforts of the International Federation of Red Cross and Red Crescent Societies which were timely and well targeted. We have made no assessment of the response by the Government of Sudan or the rest of the international community.

Mrs. Gillan: To ask the Secretary of State for International Development how many staff within the European Community Humanitarian Office monitor food aid diversion in Sudan. [71800]

Clare Short: Three EC staff are involved with the ECHO programme in southern Sudan. Operation Lifeline Sudan (OLS) is responsible for monitoring food aid diversions.

Mrs. Gillan: To ask the Secretary of State for International Development what estimate she has received from the European Community Humanitarian Office on the amount of food aid misappropriated by combatants in southern Sudan. [71798]

Clare Short: We have received no such estimates from the European Community Humanitarian Office.

Mrs. Gillan: To ask the Secretary of State for International Development how many sites in southern Sudan are currently served by Operation Lifeline Sudan; and how many were so served in *(a)* January 1998 and *(b)* January 1997. [71766]

Clare Short: In November/December 1998, the most recent period for which information is available, 103 rebel held areas were served by the UN World Food Programme in southern Sudan. In addition, deliveries were made to Government of Sudan held locations. More detailed information is not readily available.

Mrs. Gillan: To ask the Secretary of State for International Development what assessment she has made of the amount of British aid to southern Sudan which has been misappropriated in order to purchase weapons and war material. [71790]

Clare Short: No definitive figures are available on the amount of food aid diversions in southern Sudan. It is important that the peace process is pursued vigorously in parallel with humanitarian relief to minimise the danger of such assistance feeding the war economy. We and the international community are supporting the efforts of the Inter Governmental Authority on Development (IGAD) to broker a long-term agreement and are pressing both sides of the conflict to undertake serious negotiation towards a lasting and just peace.

Mrs. Gillan: To ask the Secretary of State for International Development if she will list all the agreements and arrangements made to date between Operation Lifeline Sudan and all parties to the conflict in order to facilitate relief operations and humanitarian assistance in affected parts of Sudan. [71684]

Clare Short: This information is not readily available.

Mrs. Gillan: To ask the Secretary of State for International Development what assessment she has made of the efficiency, transparency and effectiveness of Operation Lifeline Sudan. [71769]

Clare Short: Operation Lifeline Sudan (OLS) expanded its response in 1998 in very difficult circumstances as the crisis in southern Sudan unfolded. The UN and donors have learned several lessons from the experience. We are in close touch with the UN to improve the effectiveness of the operation and are working with them.

Mrs. Gillan: To ask the Secretary of State for International Development if she will make a statement on the work of food aid monitors within Operation Lifeline Sudan; how many monitors are in the field; and where they are based in southern Sudan. [71791]

Clare Short: The role of the World Food Programme (WFP) food monitors is to oversee food distribution. They are effective at ensuring that food aid is allocated fairly at distribution points, but less so in preventing some of the food from being diverted between distribution and its eventual delivery to vulnerable households. Since the recent crisis, we have been pressing for firmer action on diversion. WFP has increased the number of food aid monitors to 125. Monitors shift from location to location, depending where food aid deliveries are to be made.

Mrs. Gillan: To ask the Secretary of State for International Development (1) what discussions she has had on food aid diversion in Sudan with her fellow development Ministers in the European Union; [71793]

(2) what representations she has made on food aid diversion in Sudan at meetings of the Development Council/General Affairs Council in Europe. [71794]

Clare Short: Discussions with development and foreign ministers have focused on the main cause of the suffering in Sudan, the civil war, and on how to work with the Inter-Governmental Authority on Development (IGAD) and the IGAD Partners Forum to achieve a long-term and just peace settlement. Action on food aid diversion needs to be led by the UN System. I have discussed the problem with the appropriate agencies.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for International Development what steps she has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which she is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans she has further to decentralise the location of her Department and its agencies. [70462]

Clare Short: The Department for International Development (DFID) operations are already decentralised. We have two offices in the UK: 414 staff are located in East Kilbride and 755 in London. In addition DFID has offices abroad in Bangkok, Harare, Bridgetown, Dhaka, Delhi, Nairobi, Pretoria and Suva employing, mainly under contract, 207 UK-based and 280 locally recruited staff.

I also refer my hon. Friend to "Civil Service Statistics 1998" which is available in the Library of the House and which provides a regional breakdown of staff.

In April 1998 my Department announced that 43 jobs from DFID's London office would be moved to East Kilbride. I have no plans to relocate any further parts of my Department. My Department has no agencies.

Aid Schemes (Former Soviet Union)

Mr. Llew Smith: To ask the Secretary of State for International Development if she will list the British aid schemes currently operating in the former states of the Soviet Union giving assistance to the educational and health care systems; what private or semi-private British aid initiatives are operating in conjunction with these; and if she will make a statement. [71175]

Clare Short: We are operating a wide range of know-how fund projects in the countries of the former Soviet Union in the health and education sectors. I will place a list in the Library of the House. These projects are undertaken with a variety of partners. They are usually implemented on a contractual basis with UK or other organisations. A variety of health care professionals contribute their time for free to our Health Small Partnerships Scheme in Russia and Ukraine.

TREASURY

Pensions (LISAs)

Mr. Cousins: To ask the Chancellor of the Exchequer if LISA style pensions are to be used as freestanding top-ups to existing *(a)* personal and *(b)* occupational pension plans. [69890]

Ms Hewitt: The Treasury's proposal, currently under consultation, is for an investment vehicle to help launch stakeholder pensions. As the Chief Secretary stated in his answer to my hon. Friend the Member for Preseli Pembrokeshire (Ms Lawrence) on 3 February 1999, *Official Report*, column 677–78, this financial instrument could also be used by any other kind of pension: personal pensions, occupational pensions and additional voluntary contributions to occupational schemes.

Office for National Statistics

Mr. Hancock: To ask the Chancellor of the Exchequer (1) what consultations he has had with trades unions representing the staff of the Office for National Statistics regarding the current review of that department; [69679]

(2) what plans his Department has to privatise the work of the Office for National Statistics. [69849]

Ms Lawrence: To ask the Chancellor of the Exchequer what progress has been made in reviewing the way the Office for National Statistics delivers its outputs in order to ensure that it makes the best use of the resources available. [71996]

Ms Hewitt: I am today releasing the findings of a review of the Office for National Statistics (ONS), copies of which have been placed in the Libraries of the House. This has concluded that there is scope within ONS to achieve efficiency savings rising to around £20 million per year. The review has been guided by a Steering Group under the Chairmanship of Peter Ellwood, Group Chief Executive of Lloyds TSB, and draws on work carried out by the consultants KPMG.

ONS has achieved significant efficiency savings since its creation three years ago. The review identified ways of building on its forward efficiency plans through further streamlining of activities within ONS and the development of closer working arrangements with appropriate private sector organisations. The proposed changes would allow ONS to focus professional resources and management attention where they can add most value.

These findings will be made available to staff in the ONS. I will invite the trade unions to give me their reactions to the findings before making any decisions on the way forward.

Sierra Leone (Weapons)

Ann Clwyd: To ask the Chancellor of the Exchequer what action HM Customs and Excise is taking to investigate recent allegations that two British companies have been involved in supplying weapons to rebels in Sierra Leone. [70663]

Dawn Primarolo: The investigation of alleged breaches of United Kingdom export controls is a matter for the Commissioners of HM Customs and Excise. It is not the Commissioner's general practice to comment publicly about the existence or nature of [illegible] investigations.

Euro Exchange Rate

Mr. Mitchell: To ask the Chancellor of the Exchequer what assessment he has made of the effect of the current exchange rates for the euro on the balance of trade with Euroland. [70615]

Ms Hewitt: The trade balance reflects a variety of factors and it is difficult to isolate the effects of the exchange rate. In the three months to November 1998, shortly before the introduction of the Euro, the UK had a trade in goods deficit with the Eurozone economies of £1.8 billion, compared with £1.5 billion in the previous three months.

Financial Services Authority

Mr. Maude: To ask the Chancellor of the Exchequer if he will make a statement on *(a)* the use of and *(b)* the cost of focus groups by the Financial Services Authority for its advertising campaigns. [71129]

Ms Hewitt: This is a matter for the Financial Services Authority.

Highly Indebted Poor Countries Initiative

Mr. Ben Chapman: To ask the Chancellor of the Exchequer what estimate he has made of the total amount of Government expenditure by Malawi on debt servicing in (i) 1980, (ii) 1985, (iii) 1990, (iv) 1995 and (v) the latest available year. [71392]

Ms Hewitt: The World Bank publication *Global Development Finance: Country Tables 1998* gives the following figures for 1980, 1989, 1990, 1995 and 1996. It does not give data for 1985.

Year	*Debt service paid (US$m)*
1980	68
1989	58
1990	103
1995	105
1996	68

Pensions Mis-selling Advertisement

Mr. Maude: To ask the Chancellor of the Exchequer what representations he has received from the Ice Cream Alliance regarding the Financial Services Authority advertising campaign on pensions mis-selling. [71132]

Ms Hewitt: The Chief Executive of the Ice Cream Alliance wrote to the Chancellor and the Financial Secretary on 2 February.

EMU Preparations Standing Committee

Ms Lawrence: To ask the Chancellor of the Exchequer what was the outcome of the most recent meeting of the Standing Committee on Preparations for EMU. [71945]

Ms Hewitt: My right hon. Friend the Chancellor of the Exchequer held the most recent meeting of the Standing Committee on 27 January 1999. I have arranged for copies of the minutes to be placed in the Libraries of the House.

Pensions Mis-selling

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on progress in the review of personal pensions mis-selling. [71946]

Ms Hewitt: The Personal Investment Authority (PIA) has confirmed that it is satisfied that all 41 major firms are devoting sufficient energy and resources to the review of personal pension mis-selling. It judged that all the firms monitored by the Treasury have made sufficient progress towards their priority review targets to be removed from the published list. The Treasury has acted on the PIA advice and suspended publication of figures.

However, firms will still be monitored and expected to conclude the priority review, and make swift progress with phase 2. The Treasury reserves the right to resume publication of information about firms' progress should it prove necessary.

The regulators' advertising campaign for phase 2 of the pension review is now well under way. Younger people should take the opportunity of finding out whether they might be due redress for mis-selling. Anyone who receives a letter from their pension firm should read it carefully and decide whether they wish to put their case forward for review.

Fuel Duties

Mr. Maclean: To ask the Chancellor of the Exchequer if he will estimate the Exchequer's average receipt from *(a)* a small and medium-sized enterprise and *(b)* a company with more than 100 employees arising from (i) the increase in the road fuel escalator to 6 per cent., announced in the 1997 Budget, (ii) the indexation of vehicle excise duty, announced in the 1997 Budget, (iii) the bringing forward of fuel duty increases, announced in the 1998 Budget, (iv) the increase in diesel duty differential, announced in the 1998 Budget, (v) the increase in duty on super-unleaded petrol duty, announced in the 1998 Budget and (vi) the increase in company car fuel tax, announced in the 1998 Budget. [71664]

Ms Hewitt: The effect of these measures across enterprises and companies will vary considerably; this reflects the differing circumstances of individual enterprises and companies.

VAT

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will list the EU legislative provisions which permit a reduction in the rate of VAT from 17½ per cent. to five per cent.; and if he will make a statement. [71000]

Dawn Primarolo: Under the provisions of Article 12(3)(a) of the Sixth VAT Directive, Member States have the option of applying one or two reduced rates of VAT, at not less than 5 per cent., to any of the goods and services specified in Annex H of that Directive.

Landfill Tax

Mr. Maclean: To ask the Chancellor of the Exchequer how many businesses were affected by the landfill tax announcement in the 1998 Budget; and if he will estimate the average cost per business. [70670]

Ms Hewitt *[holding answer 15 February 1999]:* It is not possible to identify how many businesses send their waste to landfill instead of to another waste disposal option such as recycling or incineration. It is therefore not possible to given an average cost per business.

Trading Loss Carry Back

Mr. Maclean: To ask the Chancellor of the Exchequer how many businesses have been affected by the 1997 Budget measure to restrict trading loss carry back to one year. [70675]

Ms Hewitt *[holding answer 15 February 1999]:* The restriction on carry back of trading losses could affect up to 20,000 companies a year but the numbers will vary from year to year depending on trading conditions.

Driving Costs

Mr. Maclean: To ask the Chancellor of the Exchequer what additional revenue the average *(a)* private motorist and *(b)* company car driver will have contributed to the Exchequer as a result of the 1997 and 1998 budgets. [70681]

Ms Hewitt *[holding answer 15 February 1999]:* The effect of Budget measures on private motorists and company car drivers will vary considerably; this reflects the differing circumstances of individual private motorists and company car drivers.

VAT (Fuel)

Mr. Maclean: To ask the Chancellor of the Exchequer how many households were affected by the reduction of VAT on fuel in the 1997 Budget; and what is the average change in *(a)* electricity and *(b)* gas bills. [70673]

Ms Hewitt *[holding answer 15 February 1999]:* Approximately 24½ million households benefited from the reduction of VAT on fuel.

The cut in the VAT rate on domestic fuel from 8 per cent. to 5 per cent. in September 1997 is estimated to have reduced the bill for a typical household in 1998 by £7.50 for electricity and by £9.00 for gas.

Civil Service Pay Awards

Dr. David Clark: To ask the Chancellor of the Exchequer what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1998–99; and to what extent the pay awards were staged. [69508]

Ms Hewitt *[holding answer 9 February 1999]:* The headline pay settlement was 2.95 per cent. on the pay bill and together with the additional funds from staff turnover, staff in post received performance related increases averaging 3.9 per cent. The increases were not staged.

SCOTLAND

Sports Funding

Mr. Gorrie: To ask the Secretary of State for Scotland what estimate the Scottish Sports Council has made of the total revenue financial support provided by Scottish councils for sport in 1998–99 and in each of the previous five years. [69713]

Mr. Galbraith: The Scottish Sports Council does not make separate estimates for this but uses figures on local authority expenditure on leisure and recreation collected by the Scottish Office. The figures, which are not available at a more disaggregated level, are as follows:

Net local authority revenue expenditure on leisure and recreation

Year	*£000*
1998–99	[1]286,310
1997–98	[2]294,612
1996–97	303,832
1995–96	307,048
1994–95	289,803
1993–94	282,346

[1] Estimate

[2] Provisional

From 1 July 1999 this will be a matter for the Scottish Parliament.

New Housing Partnership

Mrs. Laing: To ask the Secretary of State for Scotland what the budget is for the New Housing Partnership scheme in 1998–99, 1999–2000, 2000–01 and 2001–02. [70309]

Mr. Macdonald: Following is the information requested:

£ million

	New Housing Partnerships selected for funding in May and October 1998	*New Housing Partnership bids currently under consideration*
1998–99	35	—
1999–2000	30	23
2000–01	20	95
2001–02	5	160

I will be making an announcement shortly about the selection of bids currently under consideration for funding.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mrs. Laing: To ask the Secretary of State for Scotland what the process is by which bids for funding for the New Housing Partnership scheme are scrutinised. [70312]

Mr. Macdonald: Bids for funding are being assessed by the New Housing Partnership Advisory Group against the criteria set out in the Department's letters of invitation. The Group has sought clarification, from some local authorities, on aspects of their bids. The Group will shortly be making recommendations to me on the merits of the bids, and I will make an announcement shortly. From 1 July 1999 this will be a matter for the Scottish Parliament.

Mrs. Laing: To ask the Secretary of State for Scotland who sits on the panel that scrutinises bids for the New Housing Partnership scheme; and how and for what reason they were chosen. [70313]

Mr. Macdonald: The members of the New Housing Partnerships Advisory Group are:

Scottish Office

David Belfall (Chair)

John Breslin

Rod Merrall

Convention of Scottish Local Authorities

Albert Tait

Kenny Simpson

Scottish Federation of Housing Associations

David Orr

Chartered Institute of Housing

John Perry

Alan Ferguson

Scottish Homes

Stuart Nichol

Chief Executive, Broomleigh Housing Association

Keith Exford.

The Group provides advice to Ministers on bids received from local authorities for New Housing Partnerships funding.

From 1 July 1999 this will be a matte[illegible]r the Scottish Parliament.

Mrs. Laing: To ask the Secretary of State for Scotland what the criteria are that local authorities have to meet to be entitled to funding from the New Housing Partnership scheme. [70311]

Mr. Macdonald: The criteria for New Housing Partnership funding have been set out in letters issued by the Scottish Office Development Department. A copy of the Department's letter of 24 August 1998, which invites bids for the period 1999–2000, has been placed in the House of Commons Library.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Council House Debt

Mrs. Laing: To ask the Secretary of State for Scotland (1) what is the total level of council house debt, including capital debt, by local authority area in Scotland; [70310]

(2) what are the expected levels of council house debt, including capital debt, by local authority area for 1998–99, 1999–2000, 2000–01 and 2001–02. [70315]

Mr. Macdonald: Information on local authority housing debt is collected annually from local authorities. The most recent estimates available, as at 1 April 1998, are shown in the table.

Authority	*Debt (£)*
Aberdeen City	134,682,000
Aberdeenshire	150,821,000
Angus	34,655,914
Argyll and Bute	53,594,327
Clackmannanshire	26,589,900
Comhairle nan Eilean Siar	44,629,236
Dumfries and Galloway	107,598,933
Dundee City	117,916,400
East Ayrshire	83,426,996
East Dunbartonshire	45,574,000
East Lothian	43,554,000
East Renfrewshire	25,643,300
Edinburgh City	283,591,341
Falkirk	90,976,000
Fife	208,240,991
Glasgow City	914,638,203
Highland	222,559,000
Inverclyde	97,559,900
Midlothian	25,138,104
Moray	50,066,031
North Ayrshire	86,772,000
North Lanarkshire	231,658,606
Orkney Islands	4,769,000
Perth and Kinross	47,759,926
Renfrewshire	143,943,035
Scottish Borders	69,226,695
Shetland Islands	60,157,961
South Ayrshire	60,397,134
South Lanarkshire	230,800,643
Stirling	45,625,903
West Dunbartonshire	92,236,590
West Lothian	69,886,114
Scotland	3,904,689,183

From 1 July this will be a matter for the Scottish Parliament.

Mrs. Laing: To ask the Secretary of State for Scotland what the time scale is, by local authority area, for the repayment of council house debt; and by when he expects all council housing debt to be repaid. [70328]

Mr. Macdonald: Information about the time scale for repayment of council housing debt is not held centrally and could be provided only at disproportionate cost.

From 1 July this will be a matter for the Scottish Parliament.

Housing Debt

Mrs. Laing: To ask the Secretary of State for Scotland what extra funding he plans to provide to assist local authorities to repay housing debt. [70320]

Mr. Macdonald: We have indicated that, in certain circumstances, we will be prepared to provide assistance with housing debt to councils which tranfers their housing stock into community ownership. This assistance will be available where the transfer represents good value for money and is selected to proceed under the New Housing Partnerships initiative. Detailed arrangements will need to be agreed in individual cases and be affordable. The resources necessary will be found from within the funding available under the New Housing Partnerships initiative.

From 1 July this will be a matter for the Scottish Parliament.

Homelessness

Mrs. Laing: To ask the Secretary of State for Scotland how much was spent on homeless initiatives on in 1996–97, 1997–98 and 1998–99. [70316]

Mr. Macdonald: Expenditure by The Scottish Office on homeless initiatives in 1996–97, 1997–98 and provision for 1998–99 is set out in the table:

	1996–97	*1997–98*	*1998–99*
Scottish Office grants to voluntary bodies	354,000	454,000	577,000
Rough sleepers initiative	—	2,173,000	3,331,000
Total	354,000	2,626,000	3,908,000

In addition, local authorities in Scotland and Scottish Homes commit resources to help meet the needs of the homeless through their ongoing housing programmes.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Rough Sleepers Initiative

Mrs. Laing: To ask the Secretary of State for Scotland which organisations will be responsible for spending the extra funding for the Rough Sleepers Initiative announced on 16 December 1998. [70319]

Mr. Macdonald: These additional resources will be available in 2000–01 and 2001–02. Decisions about their use will be a matter for the Scottish Administration and Parliament.

Mrs. Laing: To ask the Secretary of State for Scotland from which budget the extra funding for the Rough Sleepers Initiative announced on 16 December 1998 was funded; and from what programmes funding has been taken as a result. [70317]

Mr. Macdonald: The additional funding for the Rough Sleepers Initiative announced on 16 December 1998 was identified following the outcome of the Comprehensive Spending Review. It has not been taken from resources previously allocated to other programmes.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Sheriff Courts

Mr. Worthington: To ask the Secretary of State for Scotland what representations he has received from lawyers about a decline in their work at sheriff courts because of changes in administrative practice. [70344]

Mr. McLeish: None.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made of changes in the last five years in the *(a)* number and *(b)* proportion of cases that are going to the Sheriff Court as a result of changes in administrative practice. [70343]

Mr. McLeish: The long-term trend has been for growth in business in the Sheriff Courts. In the past 5 years, the general trend in summary and solemn business and in civil business has been for a small reduction in the number of cases and for a small increase in the average of length of cases going to trial or proof. Many factors influence trends in court business but there is no evidence that administrative practice in the courts has significantly affected the national picture.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Fiscal Fines

Mr. Worthington: To ask the Secretary of State for Scotland what was the financial return from fiscal fines in the last recorded year and the distribution of fines by amount. [70342]

Mr. McLeish: Information provided by the district courts shows that in 1997–98 approximately £527,000 was collected from the payment of fiscal fines. Information on the amount of fines by value is not held centrally.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Health White Paper

Mr. Ernie Ross: To ask the Secretary of State for Scotland when the White Paper on improving Scotland's health will be published; and if he will make a statement. [71997]

Mr. Dewar: The White Paper "Towards a Healthier Scotland" is being published on 17 February. Copies will be laid before the House and will be available in the Library of the House and the Vote Office.

The White Paper sets out the Government's strategy for improving health for all in Scotland, and builds on the positive response to the Green Paper "Working Together for a Healthier Scotland", published in February 1998.

Our drive to better health includes a coherent attack on the roots of ill health such as poverty, unemployment, and a polluted environment, combined with action to encourage healthier lifestyles and to address Scotland's key health problems. An over-arching aim is to tackle health inequalities. There is a specific focus on measures to improve the health of children and on new initiatives against Scotland's 2 major killing diseases—cancer and coronary heart disease. Particular emphasis is placed on the development of a concerted approach to health improvement across Government, and involving the National Health Service, local authorities, voluntary and other bodies whose policies and actions impact on health.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Education Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland, pursuant to his answer of 9 February 1999, *Official Report*, columns *173–74*, on education expenditure, if he will list the figures for 1996–97 and 1998–99 in 1997–98 prices. [71475]

Mrs. Liddell: The following table shows the final outturn for 1996–97 and 1998–99 at 1997–98 prices. Final outturn figures for any year are generally higher than the budget estimates.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Local authority education spending

£000

Councils	(at 1997–98 prices) 1996–97 Final outturn	1998–99 Budget estimates
Aberdeen, City	89,341	85,849
Aberdeenshire	112,428	108,748
Angus	49,212	48,531
Argyll and Bute	50,745	47,781
Clackmannanshire	24,686	24,524
Dumfries and Galloway	69,220	68,752
Dundee	72,078	67,317
East Ayrshire	60,566	59,034
East Dunbartonshire	54,677	52,479
East Lothian	38,496	36,867
East Renfrewshire	43,711	42,963
Edinburgh, City	163,076	159,645
Eilean Siar	24,181	23,945
Falkirk	64,331	62,503
Fife	171,942	162,655
Glasgow City	297,819	280,488
Highland	116,861	112,712
Inverclyde	43,894	44,286
Midlothian	41,639	40,132
Moray	42,935	40,600
North Ayrshire	66,870	67,062
North Lanarkshire	165,163	160,818
Orkney	15,756	14,947
Perth and Kinross	57,593	57,221
Renfrewshire	84,710	82,385
Scottish Borders	49,522	46,425
Shetland	24,483	23,183
South Ayrshire	53,847	45,889
South Lanarkshire	149,232	137,007
Stirling	41,655	38,478
West Dunbartonshire	50,896	51,861
West Lothian	85,289	77,231
Scotland	2,476,854	2,372,320

Note:

All figures are net current expenditure excluding loan and leasing charges as returned by the individual local authorities to The Scottish Office, adjusted to 1997–98 prices using the GDP deflator.

Scottish Parliament (Income Tax)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland, pursuant to his answer of 9 February 1999, *Official Report*, column *172*, on income tax and the Scottish Parliament, if he will estimate for *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03 the extra money which would be paid into the Scottish Consolidated Fund from a decision to raise income tax by one penny by the Scottish Parliament (i) gross and (ii) net of deductions. [71476]

Mr. Dewar: It is currently estimated for 2000–01 that the yield from a decision to increase the basic rate of income tax by one penny for Scottish taxpayers is as follows:

£ million

Gross	*Net*[1]
180	175

[1] Net of income-related benefits: Working Families Tax Credit, Income Support, Housing Benefit and Council Tax Benefit.

Projections are not available for later years.

Personal Social Services

Mr. Burstow: To ask the Secretary of State for Scotland if he will list *(a)* by social services authority and *(b)* in total (i) the standard spending assessment for personal social services in 1998–99, (ii) the standard spending assessment for personal social services in 1999–2000, (iii) the difference between the standard spending assessment for personal social services in 1998–99 and 1999–2000, (iv) that difference expressed as a percentage of the 1998–99 figure, (v) the special transitional grant for 1998–99, (vi) the difference between the standard spending assessment for personal social services in 1999–2000 and the standard spending assessment for personal social services for 1998–99 combined with the special transitional grant for 1998–99, (vii) the difference between the standard spending assessment for personal social services in 1999–2000 and the standard spending assessment for personal social services for 1998–99 added to the special transitional grant for 1998–99 and expressed as a percentage of the 1998–99 figure and (viii) the indicative level of specific and special grants for 1999–2000. [71318]

Mr. Galbraith: The Social Work Services Grant Aided Expenditure (GAE) allocations for authorities relating to items (i) and (iv) are set out in the table. There has been no direct equivalent to the Special Transitional Grant in Scotland. Specific Grants for training and mental illness totalling £22.2 million in 1999–2000 are included n the GAE figures shown.

From 1 July this will be a matter for the Scottish Parliament.

Social Work GAE

£ million

	1998–1999	*1999–2000*	*Change*	*Change Percentage*
Aberdeen City	43.0	44.9	1.9	4.4
Aberdeenshire	36.8	37.8	1.1	2.9
Angus	22.9	23.7	0.8	3.5
Argyll & Bute	19.9	20.7	0.8	3.8
Clackmannanshire	9.0	10.0	1.0	11.3
Dumfries & Galloway	27.2	29.7	2.5	9.2
Dundee City	35.4	37.5	2.1	5.9
East Ayrshire	24.9	26.6	1.7	6.9
East Dunbartonshire	15.4	16.2	0.8	5.2
[illegible]t Lothian	16.8	18.3	1.5	8.8
East Renfrewshire	13.7	14.4	0.7	4.8
Edinburgh, City of	99.4	100.5	1.1	1.1
Eilean Siar	7.7	7.5	–0.2	–2.3
Falkirk	28.7	29.8	1.2	4.1
Fife	67.1	72.1	5.0	7.4
Glasgow City	174.2	179.1	4.8	2.8
Highland	37.9	40.2	2.3	6.1
Inverclyde	19.6	20.5	0.9	4.3
Midlothian	13.3	14.3	1.0	7.6
Moray	14.5	15.3	0.7	5.1
North Ayrshire	28.9	31.3	2.4	8.5
North Lanarkshire	63.0	67.9	4.9	7.8
Orkney Islands	3.5	3.7	0.2	4.6
Perth & Kinross	25.0	26.6	1.6	6.4
Renfrewshire	35.4	27.0	1.6	4.4
Scottish Borders	21.0	22.2	1.2	5.5
Shetland Islands	4.3	4.3	0.0	0.3
South Ayrshire	23.0	24.1	1.1	4.9
South Lanarkshire	55.9	58.6	2.7	4.9
Stirling	16.1	16.9	0.8	4.9
West Dunbartonshire	20.6	22.0	1.4	6.7
West Lothian	26.2	27.5	1.4	5.2
Scotland Total	1,050.2	1,101.0	[1]50.8	[1]4.8

[1] In addition £0.5 million (0.3 per cent.) is being transferred from local to central training

Salmon

Mrs. Ewing: To ask the Secretary of State for Scotland what assessment he has made of the procedures adopted in Norway to deal with infectious salmon anaemic outbreaks. [71439]

Mr. Macdonald: ISA has been present in Norway since the mid-1980s, and new outbreaks of the disease have persisted in recent years. The Norwegian authorities require fish to be withdrawn from sea cages when a specified level of mortality has been reached. In other respects their controls are similar to those applied in the UK, notably the requirement for infected farms to be fallowed for up to 6 months. The Secretary of State continues to believe that the eradication of the current outbreak of ISA in Scottish waters is a realistic and desirable objective, and current measures are directed to that end, in line with EU legislation. The Norwegian authorities have been very helpful in offering information and advice, and regular contact is being maintained.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Closed Circuit Television (Witnesses)

Dr. Godman: To ask the Secretary of State for Scotland in how many cases at *(a)* the Sheriff Court and *(b)* the High Court closed circuit television equipment has been employed in the examination of vulnerable witnesses in each of the past seven years; and if he will make a statement. [70250]

Mr. McLeish: Figures shown in the table are for the use of closed circuit television equipment in the relatively small number of cases which proceeded following successful application. From 1 July 1999 this will be a matter for the Scottish Parliament.

	High Court	*Sheriff Court*
1991[1,2]	0	0
1992[1]	8	1
1993[1,3]	5	2
1994	3	6
1995	1	4
1996	2	0
1997	5	0
1998	3	7

[1] Edinburgh and Glasgow only

[2] October to December

[3] January to May

Dr. Godman: To ask the Secretary of State for Scotland if he will list the sheriff courts which are equipped with closed circuit television; and if he will make a statement. [70249]

Mr. McLeish: The sheriff courts which are equipped with closed circuit television are:

Aberdeen

Airdrie

Edinburgh

Falkirk

Glasgow

Greenock.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Scottish Enterprise

Mr. Swinney: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Gordon (Mr. Bruce) of 9 February 1999, *Official Report*, column *170*, on Scottish Enterprise, if he will ensure that a copy of the letter from the Chairman of Scottish Enterprise is placed in the Library. [71325]

Mr. Dewar: A copy of the letter from the Scottish Enterprise Chairman will be placed in the Library in due course. From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Swinney: To ask the Secretary of State for Scotland if he will list the amount spent by Scottish Enterprise on graduate placement schemes in the most recent year for which figures are available. [71385]

Mr. Dewar: Expenditure on the delivery of graduate placement schemes is an operational matter for the Scottish Enterprise network. I have asked the Scottish Enterprise Chairman to write to the hon. Member. From 1 July 1999 this will be a matter for the Scottish Parliament.

HOME DEPARTMENT

Metropolitan Police

Mr. McNulty: To ask the Secretary of State for the Home Department what will be the total cost to Public funds of the Metropolitan police in 1999–2000; and if he will make a statement. [72144]

Mr. Straw: The Receiver for the Metropolitan Police District has estimated that net revenue expenditure for the Metropolitan police for 1999–2000 will be £1,880,068,000 and he intends to issue precepts which would result in a council tax for police purposes of £77.44 for a property in valuation Band D.

I have discussed this with representatives of local authorities in the Metropolitan police district.

I have informed the Receiver that I am content with the estimates and the proposed precept.

In Inner London, the Receiver's precepts cover also the Inner London Magistrates Courts Service and the Inner London Probation Service. His proposals would result in council taxes for these services of £6.40 and £8.78 respectively for a property in valuation Band D.

Compared with the current year, the proposed precepts would result in an increase in the Receiver's council tax of 5.2 per cent. in Inner London and 9.5 per cent. in the rest of the Metropolitan police district.

Asylum Seekers

Ms Ryan: To ask the Secretary of State for the Home Department if he will give further details about the operation of the asylum seeker support arrangements for which provision is made in Part VI of the Immigration and Asylum Bill. [72145]

Mr. Straw: On 17 February, I will place in the Library a draft Process Manual which describes the way the Home Office proposes to discharge its responsibilities for supporting asylum seekers, and what they may expect. The draft Manual will be revised and may be expanded as more detailed elements of the scheme are designed and settled. Once its policy is in final form, it will be sub-edited into clearer English.

Sir Norman Fowler: To ask the Secretary of State for the Home Department if he will list the towns and cities where accommodation will be provided for asylum seekers under the terms of the Immigration and Asylum Bill; what estimate he has made of the cost of such accommodation; how many places will be made available; what kind of accommodation will be provided; what standards will be required; and if he will make a statement. [71670]

Mr. Mike O'Brien: No towns or cities have been identified at this stage. Asylum seekers will be dispersed to cluster areas. No cluster areas have yet been designated, but the intention is that such areas would have available accommodation (without resorting to sink estates) and placements would take account of the value of linking to existing communities and the support of voluntary and community groups.

No estimate has been made of the cost of the accommodation alone. As a result of the comprehensive spending review provision of £350 million in 1999–2000, £300 million in 2000–01 and £250 million in 2001–02 was added to the Home Office baseline to cover the overall asylum support costs. The project team which has been set up to take forward the asylum support provisions in the Immigration and Asylum Bill are currently considering the development of cluster areas, the amount and type of accommodation which will be needed, and associated standards.

Sir Norman Fowler: To ask the Secretary of State for the Home Department if he will make a statement on progress in considering the cases of those applicants for political asylum who entered the country prior to July 1993 indicating how many cases had been *(a)* considered, *(b)* granted indefinite leave to remain and *(c)* personally interviewed; what checks are made on whether an applicant is a genuine refugee; and if he will make a statement. [71671]

Mr. Mike O'Brien: The available information on the outcome of asylum applications made before 1 July 1993 was given in a reply to my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) on 1 February 1999, *Official Report*, column *422*.

Where these cases are dealt with under the measures announced in July 1998 the substantive asylum claim is not considered. However, the cases of applicants who do not qualify to be considered under the backlog clearance measures, or who claim that they have been disadvantaged by the grant of indefinite leave rather than asylum, will be considered in the normal way against the criteria in the 1951 United Nations Convention.

Sir Norman Fowler: To ask the Secretary of State for the Home Department what progress his Department has made in considering the cases of those applicants for political asylum who made applications between 1 July 1993 and 31 December 1995. [71669]

Mr. Mike O'Brien: About 88,000[1] applications for asylum were made between 1 July 1993 and 31 December 1995. The status of those cases which had been decided at 31 December 1998 is set out in the table.

An estimated 20,000 cases remained undecided, but this estimate is likely to be reduced following a recent count of Immigration and Nationality Directorate's outstanding work.

[1] Excluding dependents.

	Percentage of total decisions[1]
Granted Asylum	6
Granted Exceptional Leave	13
Refused after full consideration	69
Refused on 3rd country grounds	4
Paragraph 340 refusal[2]	8

[1] Percentages are estimates rounded to the nearest whole number.

[2] Paragraph 340 of the Immigration Rules. For failure to provide evidence to support an asylum claim within a reasonable period, including failure to respond to invitation to interview.

Sir Norman Fowler: To ask the Secretary of State for the Home Department what assumptions he has made as to when his proposed new system for supporting asylum seekers as set out in the Immigration and Asylum Bill will come into operation; how many staff will be recruited to operate the system and from where they will be drawn; what will the likely cost of the new system; what will be its budget; and if he will make a statement. [71726]

Mr. Mike O'Brien: Our current plans are that the new asylum support system will come into effect on 1 April 2000. But much depends on the progress of the Immigration and Asylum Bill through Parliament, the necessary planning arrangements, and the provision of support services.

The Home Office is currently considering the number of staff required in the Asylum Support Directorate, which will be the new body set up to administer the new asylum support arrangements.

Information on the source of those staff, likely costs and the budget is not known at this stage because it is to some extent dependent on Parliamentary progress.

Sir Norman Fowler: To ask the Secretary of State for the Home Department if he will conduct checks at *(a)* Heathrow and *(b)* Dover, to determine how many political asylum seekers are now arriving in Britain without documents; and if he will make a statement. [71727]

Mr. Mike O'Brien: Comprehensive immigration checks are already in place at Heathrow and Dover. All arriving passengers are examined by an Immigration Officer and are required to hold valid travel documents including visas where necessary. In addition to normal immigration controls there are regular surveillance operations at Heathrow and Dover.

The Immigration (Carriers' Liability) Act 1987 is also applied and financial charges under that Act are levied on carriers who bring inadequately documented passengers to the United Kingdom. Statistics on these passengers are recorded by the Immigration Service.

Immigration Service

Sir Norman Fowler: To ask the Secretary of State for the Home Department if he will make a statement on the impact of the refurbishment works at Lunar House on the operation of the Immigration Service. [71728]

Mr. Mike O'Brien: I refer the right hon. Member to the reply I gave the hon. Member for Hertsmere (Mr. Clappison) on 3 December 1998, *Official Report*, column *251*.

Freedom of Information Bill

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the progress of work on the draft Freedom of Information Bill. [70864]

Mr. Straw: I refer the right hon. Member to the reply I gave to my hon. Friend the Member for Falkirk, West (Mr. Canavan) on 10 February 1999, *Official Report*, columns *257–59*.

Parentline and Childline

Mrs. Virginia Bottomley: To ask the Secretary of State for the Home Department how much *(a)* core and *(b)* project funding he is providing in the current financial year for (i) Parentline and (ii) Childline; and how much he is providing for Childline's work on bullying in schools. [70707]

Mr. Boateng: In the current financial year, the Home Office is providing £108,000 to Parentline to help them expand the service they provide into a national freephone helpline for parents. This is in addition to £25,000 from the Department of Health under their section 64 grants programme and £35,000 funding from the Department for Education and Employment to the National Stepfamilies Association for a joint project with Parentline.

The Home Office does not fund Childline.

Asylum and Immigration Appeals

Mr. Coleman: To ask the Secretary of State for the Home Department what was the *(a)* average, and *(b)* longest time taken by his Department to grant leave to enter or remain to a person whose asylum appeal had been allowed in 1998; and if applicants were entitled to (i) benefits and (ii) family reunion as a refugee pending the grant of such leave. [70718]

Mr. Mike O'Brien: I regret that information regarding the time between a final appeal outcome and a subsequent decision to grant leave to enter or remain in the United Kingdom, could be obtained only at disproportionate cost.

A person whose asylum appeal has been allowed is not entitled to benefits of family reunion until leave as a refugee has actually been granted. Once such leave has been granted benefits will be backdated to the date they ceased.

Mr. Coleman: To ask the Secretary of State for the Home Department how many decisions to deport made under section 3(5)(6) of the Immigration Act 1971 with a right of appeal not limited by section 5 of the Immigration Act 1998 have been *(a)* made, *(b)* withdrawn after an appeal against the decision was allowed and *(c)* withdrawn in other circumstances since the introduction of section 5 of the 1998 Act. [70728]

Mr. Mike O'Brien: Section 5 of the Immigration Act 1988, as amended, places certain restrictions on the right of appeal where a decision is taken to make a deportation order against a person under section 3(5)(a) or section 3(5)(aa) of the Immigration Act 1971, or under section 3(5)(c) against a family member of such a person.

Information at the level of detail requested could be obtained only through the examination of individual records and is, therefore, available only at disproportionate cost.

Mr. Coleman: To ask the Secretary of State for the Home Department how many final decisions on asylum applications were taken by an officer of administrative officer grade in 1997 and 1998, broken down by (i) successful and (ii) unsuccessful applications. [70733]

Mr. Mike O'Brien: I regret that the information on how many final decisions on asylum applications taken by an administrative officer grade in 1997 and 1998 could be obtained only by examination of individual case records and is, therefore, available only at disproportionate cost.

Mr. Nigel Jones: To ask the Secretary of State for the Home Department what assessment he has made of the impact which delays to the development of the new casework system are having on the processing of asylum claims and other services provided by the Immigration and Nationality Directorate. [70908]

Mr. Mike O'Brien: The Immigration and Nationality Directorate caseworking operation is at present being reorganised and new ways of working are being introduced as part of the business change and modernisation initiative. The disruption has caused a temporary reduction in service standards and in numbers of casework decisions.

Under the privately financed contract for the Casework Programme the financial risk of late delivery of elements of the Programme is carried by Siemens Business Services. There is no reason to believe the delay in delivery of the full casework information technology application will reduce casework decisions or service standards over the contract period.

Illegal Immigrants

Mr. Coleman: To ask the Secretary of State for the Home Department how many people were removed as illegal entrants in each year from 1993 to date. [70736]

Mr. Mike O'Brien: The information is given in the table.

Removals and voluntary departures as a result of illegal entry action, 1993-First Half 1998[1]

	Number of persons	
	Removed as illegal entrant	*Departed voluntarily*[2]
1993	3,410	380
1994	2,740	550
1995	2,570	590
1996	2,860	540
1997	3,690	820
1998[1]	1,990	420

[1] 1998 figures relate to the first half year, 1 January to 30 June.

[2] Persons departing 'voluntarily' after illegal entry action had been initiated against them.

Note:

All figures are rounded.

Leave to Remain Applications

Mr. Coleman: To ask the Secretary of State for the Home Department how many applications for further leave to remain have been *(a)* made in the prescribed form and *(b)* treated as invalid because they were not made in the prescribed form for each quarter since prescribed forms were introduced. [70729]

Mr. Mike O'Brien: Since 25 November 1996, it has been obligatory for persons wishing to make an application to vary the duration and/or conditions of their leave in the United Kingdom to use the application forms prescribed for this purpose. Statistical information on the total number of applications received was recorded from February 1997 onwards, but this did not record individual categories. Information on the total number of applications received and the number of applications deemed invalid is given in the table. It is not possible to provide a more detailed breakdown between the different types of application forms received.

	Valid applications	*Invalid applications*
1997		
Q1	[1]8,639	[1]3,264
Q2	20,395	11,059
Q3	23,162	9,309
Q4	29,628	8,180
1998		
Q1	27,115	6,822
Q2	26,858	5,711
Q3	27,563	4,625
Q4	22,904	3,754

[1] Counting during Quarter 1 did not begin until part way through the quarter

The figures recorded relate to postal applications only.

Mr. Coleman: To ask the Secretary of State for the Home Department if he will make a statement on his policy on granting family reunion to persons with exceptional leave to remain for less than four years in the United Kingdom where they are unable to maintain and accommodate family members. [70734]

Mr. Mike O'Brien: People with less than four years' exceptional leave to remain in the United Kingdom, whether or not they are able to satisfy the maintenance and accommodation requirements of the Immigration Rules, are not normally allowed to be joined by their pre-existing spouse or minor dependent children under the terms of the family reunion concession.

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many applications for leave to remain for an indefinite period on the grounds of marriage to a British or settled spouse from *(a)* women and *(b)* men were (i) granted and (ii) refused in (x) 1996, (y) 1997 and (z) 1998 to the latest convenient date; and of those refused, for each year, how many were refused because his Department was not satisfied (1) that the couple intended to stay together permanently as husband and wife, (2) that there was adequate accommodation available, (3) that there was adequate maintenance available and (4) other grounds; and of those refused for reason (1), in how many cases domestic violence was alleged. [70710]

Mr. Mike O'Brien: The available information is given in the table. Allegations of domestic violence are not separately recorded.

Grants and refusals of applications for indefinite leave to remain on the grounds of marriage 1996–98

	1996	*1997*	*1998*[1]
Women			
Grants	17,570	16,160	18,300
Refusals:			
No intention to live together	380	250	160
Other reasons	10	10	20
Men			
Grants	11,900	10,700	12,900
Refusals:			
No intention to live together	430	190	160
Other reasons	20	20	10

[1] Provisional

Pagers (Security Service)

Mr. Baker: To ask the Secretary of State for the Home Department what controls exist to regulate the interception by MI5 of signals from pagers. [71492]

Mr. Straw: In accordance with section 5(b) of the Wireless Telegraphy Act 1949, members of the Security Service may, in the course of their duty as Crown Servants, use wireless telegraphy apparatus to obtain information as to the contents, sender or addressee of any message sent by means of pager. They may do so only in the performance of the Service's functions as laid down in the Security Service Act 1989, and as with any other kind of information obtained by the Service, the disclosure of the product from such interception is regulated by the terms of that Act. In addition, the interception of such messages is subject to the mechanisms established by the Act for dealing with complaints.

Au Pairs

Mr. Chope: To ask the Secretary of State for the Home Department what plans he has to alter his Department's recommendation of £35 to £40 as a reasonable weekly allowance for au pairs working a maximum of 25 hours under rule 88 of the Immigration Rules. [71735]

Mr. Mike O'Brien: With effect from 1 April, overseas nationals living in the United Kingdom as au pairs will be subject to the National Minimum Wage provisions.

Electoral Registration

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what plans he has to encourage members of the Afro-Caribbean community to register to vote in elections. [70133]

Mr. George Howarth: The Government carry out an annual advertising campaign to encourage all electors to register, but particularly targeted at the young and members of ethnic minorities. The Home Office also has regular contact with Operation Black Vote. In addition, my Working Party on Electoral Procedures has been considering how to maximise registration, and will shortly be issuing guidance to electoral registration officers.

Human Rights Act 1998

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what plans the Government have for a public information campaign about the implications of the Human Rights Act 1998. [70134]

Mr. Mike O'Brien: We are considering this, alongside other priorities, and will announce our decision as soon as we can.

Visas (Teachers)

Mr. Don Foster: To ask the Secretary of State for the Home Department (1) how many working holidaymaker visas were issued to overseas teachers in the last three years for which figures are available; [71440]

(2) how many working holidaymaker visas are currently issued to overseas teachers; and how many of these are known to be staying in *(a)* London and *(b)* the rest of the United Kingdom. [71441]

Mr. Mike O'Brien: I regret that the information requested is not available in the form requested.

Press Releases

Mr. Don Foster: To ask the Secretary of State for the Home Department how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71449]

Mr. Straw: The information for my Department and its agencies is as follows:

Year	*Home Office*	*Prison Service*	*Forensic Science Service*
1990	475	—	
1991	452	—	
1992	340	—	
1993	319	56	

Year	*Home Office*	*Prison Service*	*Forensic Science Service*
1994	314	68	
1995	308	61	
1996	404	57	
1997	386	67	11
1998	524	73	17

[1] Figures include any press releases issued for the Passport Agency and Forensic Science Service (FSS) until April 1997. Thereafter, FSS figures are shown separately.

I shall ask the Chief Executives of the non-departmental bodies to write to the hon. Member shortly with information about any press releases they may have issued.

Mr. Don Foster: To ask the Secretary of State for the Home Department if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71464]

Mr. Straw: Rules governing the work of the Government Information and Communication Service are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Information Officers. Copies of both documents are in the Library.

The primary costs of issuing press releases relate to their electronic distribution, which is carried out through the Central Office of Information, and postage. The estimated total of these costs is £36,124. No central record of other costs which may be involved (e.g. faxing, e-mail etc.) is available.

Asylum and Immigration (Prosecutions)

Mr. Coleman: To ask the Secretary of State for the Home Department how many prosecutions there have been under section 8 of the Asylum and Immigration Act 1995; and how many have resulted in convictions. [70735]

Mr. Mike O'Brien: Section 8 of the 1996 Act came into force in January 1997. No prosecutions were brought in either that year or in 1998.

Our general approach towards the enforcement of this section remains as in my reply to my hon. Friend the Member for Slough (Fiona Mactaggart) on 27 October 1998, *Official Report*, column *119*.

Marriages of Convenience

Sir Norman Fowler: To ask the Secretary of State for the Home Department what estimate he has made of the scale of abuse of the immigration system by those entering into marriages as a means of obtaining settlement in the United Kingdom; and if he will make a statement. [71654]

Mr. Mike O'Brien: Precise figures to reflect the use of a sham marriage to obtain settlement in this country are not readily available and could be obtained only at a disproportionate cost. The perception of some agencies most involved in tackling this abuse is that it is considerable and widespread.

Appointments (Police Authorities)

Mr. Hancock: To ask the Secretary of State for the Home Department if he will list for each police authority *(a)* the number of names submitted to him for appointment as independent members to serve from April 1999, *(b)* the number of existing police authority members included in those names, *(c)* the number of names returned by him to the police authority concerned and *(d)* the number of existing members of police authorities included in the list returned by him. [71191]

Mr. Boateng: The information is provided in the table for the 37 police authorities (established under section 3 of the Police Act 1996) to which I have returned names so far. I have added column *(e)* to show the number of independent member vacancies for each police authority.

Police authority	*(a)*	*(b)*	*(c)*	*(d)*	*(e)*
Avon and Somerset	12	2	6	1	3
Bedfordshire	20	2	10	2	5
Cambridgeshire	20	3	10	2	5
Cheshire	20	2	10	2	5
Cumbria	16	4	8	2	5
Derbyshire	11	2	5	1	3
Devon and Cornwall	20	2	10	2	5
Dorset	20	5	10	3	5
Durham	16	3	8	2	4
Dyfed-Powys	23	5	11	3	6
Essex	16	3	8	2	4
Gloucestershire	20	2	10	2	5
Greater Manchester	24	3	12	2	6
Gwent	20	4	10	3	5
Hampshire	12	3	6	2	3
Hertfordshire	20	4	10	2	5
Humberside	16	3	8	2	4
Kent	16	3	8	2	4
Lancashire	12	1	6	1	3
Leicestershire	20	2	10	2	5
Norfolk	20	5	10	3	5
Northamptonshire	19	4	9	4	5
Northumbria	20	3	10	2	5
North Wales	20	3	10	2	5
North Yorkshire	16	3	8	1	4
Nottinghamshire	16	3	8	2	4
South Wales	16	3	8	2	4
South Yorkshire	20	5	10	3	5
Staffordshire	20	3	10	3	5
Surrey	20	4	10	2	5
Sussex	16	3	8	2	4
Thames Valley	20	3	10	2	5
Warwickshire	10	1	5	1	4
West Mercia	20	5	10	3	5
West Midlands	16	3	8	2	4
West Yorkshire	20	5	10	3	5
Wiltshire	20	3	10	2	5

Homosexual Advance Defence

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will assess the first report of the New South Wales Attorney General's Department's Homosexual Advance Defence Working Party; and if he will make a statement. [71084]

Mr. Boateng: The Final report of the Attorney General of New South Wales (Australia) Department's review of the Homosexual Advance Defence was issued in September 1998. The report concluded that it must be a standard of the law that claims of non-violent homosexual advances can neither excuse fatal violence nor mitigate any offence of violence. It makes a number of recommendations, including legislative reform to exclude a non-violent homosexual advance from forming the basis of the defence of provocation. It is not clear whether the Government of New South Wales have accepted this recommendation.

We have no current plans to review the law on provocation as it applies in England and Wales.

Immigration Applications

Fiona Mactaggart: To ask the Secretary of State for the Home Department how long on average applicants *(a)* for leave to remain for a year on the grounds of marriage, *(b)* for indefinite leave to remain on grounds of marriage, *(c)* for indefinite leave to remain as a child of a parent or parents settled here, *(d)* for indefinite leave to remain as the parent of a child or children settled here, *(e)* for an extension of stay as a student, *(f)* for asylum when the person was recognised as a refugee, *(g)* for asylum when the person was granted exceptional leave to enter or remain, *(h)* for naturalisation as a British citizen on the grounds of residence, *(j)* for naturalisation as a British citizen on the grounds of marriage to a British citizen, *(k)* for registration of a minor as a British citizen, whose applications were decided at the end of *(i)* March 1997, (ii) June 1997, (iii) September 1997, (iv) December 1997, (v) March 1998, (vi) June 1998, (vii) September 1998 and (viii) December 1998 had waited since applying; and how long a person applying in January 1999 in each of these categories may expect to wait for a decision. [71414]

Mr. Mike O'Brien: The available information is given in the table. No target times have been set for the completion of applications in these categories made during January 1999.

Average length of time (in months) taken to decide applications

	Applications decided in quarter ending:							
Application made for:	*March 1997*	*June 1997*	*September 1997*	*December 1997*	*March 1998*	*June 1998*	*September 1998*	*December 1998*
Leave to remain for a year on the grounds of marriage	9	9	8	8	10	10	8	5
Indefinite leave to remain on grounds of marriage	2	3	3	3	4	4	4	2
Indefinite leave to remain as a child of parent(s) settled here[1]	4	6	5	5	5	7	6	5
Indefinite leave to remain as the parent of child(ren) settled here[1]	4	4	4	5	5	5	7	5
Extension of stay as a student	4	4	3	3	3	3	4	2
Asylum when the person was recognised as a refugee (pre-1993 Act applications)[2]	56	58	61	62	66	69	79	81
Asylum when the person was recognised as a refugee (post-1993 Act applications)[2]	22	22	22	20	21	19	19	20
Asylum when the person was granted exceptional leave to enter or remain (pre-1993 Act applications)[2]	63	73	73	79	85	85	87	90
Asylum when the person was granted exceptional leave to enter or remain (post-1993 Act applications)[2]	12	15	14	14	13	15	13	15
Naturalisation as a British citizen on the grounds of residence	16	17	19	21	20	21	22	21
Naturalisation as a British citizen on the grounds of marriage to a British citizen	15	16	18	20	20	21	21	20
Registration of a minor as a British citizen	7	7	7	7	8	9	7	7

[1] Excluding decisions where indefinite leave to remain was refused

[2] ie The Asylum and Immigration Appeals Act 1993

Asylum Detainees

Fiona Mactaggart: To ask the Secretary of State for the Home Department for how many people detained under the Immigration Act powers he has (i) demanded and (ii) received the expenses of detention under *(a)* Schedule 2 paragraph 19(1) and *(b)* Schedule 2 paragraph 20(1) of the Immigration Act 1971 from the carrier, in each year since 1993 to the latest convenient date in 1998; and what is the annual total of moneys received. [70709]

Mr. Mike O'Brien: Records show that for each of the financial years between 1 April 1993 and 31 March 1998, the Immigration Service demanded payment for:

7,219 people in 1993–94

5,226 people in 1994–95

10,868 people in 1995–96

15,182 people in 1996–97

19,126 people in 1997–98.

Payments were received for:

6,495 people in 1993–94

4,506 people in 1994–95

9,796 people in 1995–96

13,537 people in 1996–97

13,168 people in 1997–98.

The figures shown are for Schedule 2 paragraph 19(1) and 20(1) cases. A separate breakdown between these categories could be produced only at disproportionate cost. The monies received for each of the financial years shown is as follows:

£767,760 in 1993–94

£291,063 in 1994–95

£373,101 in 1995–96

£709,199 in 1996–97

£1,360,690 in 1997–98.

EU Nationals

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many nationals of each European Union country have been given temporary admission on arrival in the UK, in each year from 1993 to the latest date for which figures are available. [70745]

Mr. Mike O'Brien: The information requested is available for the 12 largest ports, and is given in the table. The data relate to persons whose European Union nationality was initially in doubt but later found or assumed to be correct.

European Union Nationals given temporary admission

Year	*Nationality*	*Number*[1]
1993	France	1
	Greece	1
	United Kingdom	12
		14
1994	United Kingdom	8
1995	Italy	1
	Portugal	3
	United Kingdom	24
		28
1996	France	2
	Greece	1
	Italy	1
	Portugal	6
	United Kingdom	10
		20
1997	France	6
	Greece	1
	Italy	2
	Netherlands	1
	United Kingdom	2
		18
1998	France	1
	Italy	1
	Netherlands	1
	Portugal	2
	United Kingdom	13
		18

[1] Data relate to Heathrow (4 terminals), Gatwick (2), Manchester (2), Dover East, Harwich, Stansted, Waterloo.

Airside Transit Visas

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many people of which nationalities required to hold an airside transit visa were (*a*) granted and (*b*) refused such visas in (i) 1996, (ii) 1997 and (iii) 1998. [70737]

Mr. Mike O'Brien: Information by nationality is not centrally recorded. The available information, which is in the Library, is by region and relates to the British diplomatic post where the visa was applied for, which is not necessarily in the country of which the applicant is a national. Data for 1996 and 1997 are given in the table. No data are yet available for 1998.

Grants and refusals of applications for direct airside transit visas, by geographical region of place of application, 1996–97

	1996		*1997*	
Region	*Issued*	*Refused*	*Issued*	*Refused*
Equatorial Africa	2,330	150	2,670	100
Southern Africa	70	100	90	[1]—
Near East/North Africa	40	[1]—	70	10
Middle East	4,950	40	7,120	100
Far East	1,930	20	800	20
South Asia	860	20	1,490	20
South East Asia	650	[2]—	220	[2]—
Australasia/South Pacific	10	[2]—	20	[2]—
Western Europe	3,230	10	3,570	20
Central Europe/FSU	380	[1]—	280	10
Southern Europe	2,040	20	2,980	10
North America	6,130	[1]—	9,380	10
West Indies and Atlantic	270	10	240	10
Latin America	310	[1]—	100	[1]—
Global Totals	23,200	280	29,000	300

[1] Negligible (i.e. five or fewer)

[2] Nil

Criminal Justice (Terrorism and Conspiracy) Act

Mr. Page: To ask the Secretary of State for the Home Department how many prosecutions have been brought under the Criminal Justice (Terrorism and Conspiracy) Act 1998 regarding conspiracy in this country to commit terrorist attacks abroad. [70750]

Mr. Straw: Section 5 of the Criminal Justice (Terrorism and Conspiracy) Act 1998—Conspiracy to commit offences outside the United Kingdom came into effect on 4 September 1998. Information on prosecutions from the Home Office Court Proceedings Database will begin to become available in the Spring of this year.

Mounted Police

Mr. Bob Russell: To ask the Secretary of State for the Home Department if he will list those police forces which have mounted sections; how many horses there are in each case; and what plans he has to ensure that present numbers are maintained. [71042]

Mr. Boateng: Information on police mounted sections is not collected centrally. Under the Police and Magistrates' Courts Act 1994, the allocation of resources within a force is decided locally by the chief constable. The decision whether to maintain a mounted section is an operational matter for the chief constable to decide.

Drugs Misuse Programme

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what proportion of his Department's budget has been allocated to implementing the Government's Drugs Misuse Programme. [70806]

Mr. George Howarth: In 1998–99, estimated expenditure on specific programmes to tackle the misuse of drugs represented about 0.65 per cent. of total central expenditure in the Home Office. Following the Comprehensive Spending Review settlement this figure will rise to over 1.5 per cent. in 1999–2000 with the allocation of an additional £34 million.

Mediation UK

Mr. Truswell: To ask the Secretary of State for the Home Department when his Department received an application for funding from Mediation UK; what evaluation he has made of it; and what action he proposes to take. [70206]

Mr. Boateng: An application for funding by Mediation UK was received by the Home Office in September 1998 and was duly considered. It was concluded that, when compared with some 70 competing bids, a sufficient case had not been made for support. The Director of Mediation was informed of the decision last month. A number of right hon. and hon. Members have since made representations to the Home Office. These will be considered and taken into account. I have agreed to meet the Director of Mediation UK to discuss future funding.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 December 1998, *Official Report*, column *604*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71011]

Mr. Straw *[holding answer 15 February 1999]:* The information is not available in the form requested and could be obtained only at disproportionate cost.

Immigration and Nationality Directorate

Mr. Nigel Jones: To ask the Secretary of State for the Home Department what steps he has taken to ensure that the systems in use by the Immigration and Nationality Directorate are millennium compliant; and if he will make a statement. [71091]

Mr. Mike O'Brien: Immigration and Nationality Directorate information technology (IT) systems have been audited for millennium compliance. A programme of upgrade, replacing or decommissioning different systems is in progress and on course to ensure that all necessary IT support continues into the year 2000.

South Wales Police Force

Mr. Swayne: To ask the Secretary of State for the Home Department how many police officers are employed by South Wales Police; and what the figure was in May 1997. [71296]

Mr. Boateng: Information on police numbers is collected at the end of March and September. The statistics for the period requested are set out in the table:

	Total officer strength
30 September 1998	2,946
30 September 1997	2,990
30 March 1997	2,976

The figures exclude officers seconded to National Crime Squad, or central services such as National Criminal Intelligence Service and National Police Training.

TRADE AND INDUSTRY

Petrol Taxation

Mr. Boswell: To ask the Secretary of State for Trade and Industry if he will list the average retail price of petrol per litre in each country of the European Union, the tax element in these prices and the proportion of the final price accounted for by taxation in each case. [70762]

Mr. Battle *[holding answer 15 February 1999]:* The information requested for unleaded petrol prices in mid-December 1998 is as follows:

	Average price (pence per litre)		
	Total	*Of which taxes*	*Percentage of tax*
United Kingdom	63.9	53.5	83.7
Austria	54.7	38.2	69.9
Belgium	58.5	45.7	78.2
Denmark	56.3	43.0	76.4
Finland	61.0	50.3	82.5
France	62.7	52.1	83.1
Germany	55.4	42.8	77.3
Greece	41.1	28.3	68.8
Ireland	51.3	35.5	69.1
Italy	62.0	47.4	76.4
Luxembourg	42.6	28.9	67.9
Netherlands	64.3	49.9	77.6
Portugal	54.9	40.8	74.4
Spain	44.1	31.7	71.8
Sweden	58.5	44.7	76.4

Multilateral Agreement on Investment

Mr. Burstow: To ask the Secretary of State for Trade and Industry what assessment he has made of the representations which his Department has received objecting to the proposed Multilateral Agreement on Investment; and if he will make a statement. [71320]

Mr. Wilson: Negotiations on the Multilateral Agreement on Investment are no longer taking place. The Department received a number of representations during the course of the negotiations, which we took carefully into account.

Postal Charges

Mr. Burstow: To ask the Secretary of State for Trade and Industry what consultations *(a)* his Department and *(b)* the Royal Mail undertook with the Periodical Publishers Association concerning changes to postal charges announced on 14 January; and what notice was given of the proposed changes. [71109]

Mr. Ian McCartney: My Department has had no consultations with the Periodical Publishers Association about the proposed postal tariff changes, which are primarily a matter for the Post Office in consultation with the Post Office Users National Council. I understand from the Post Office that they are in regular contact with major trade associations about long term strategy for postal services.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70471]

Mr. Byers *[holding answer 15 February 1999]:* Information on the topic is published in "Civil Service Statistics 1998", a copy of which is available in the Library of the House.

Minimum Wage

Mr. Chope: To ask the Secretary of State for Trade and Industry on what date he will publish detailed guidance on the National Minimum Wage Regulations. [71737]

Mr. Ian McCartney: A preliminary guidance booklet is already available and we have set up a telephone helpline to deal with specific inquiries. Definitive guidance on the National Minimum Wage will be published shortly.

Mr. Chope: To ask the Secretary of State for Trade and Industry what representations he has received in response to the consultation on the draft National Minimum Wage Regulations. [71738]

Mr. Ian McCartney: The Department of Trade and Industry received some 300 written responses to the consultation exercise on the draft National Minimum Wage Regulations. In addition, officials from the Department also met representatives from a number of interested bodies, including the CBI, TUC, EEF, NFU, LGMB, UNISON, GMB, FRES and NESTOR.

Mr. Chope: To ask the Secretary of State for Trade and Industry what is the estimated date of commencement for the National Minimum Wage Regulations. [71736]

Mr. Ian McCartney: The National Minimum Wage Regulations were laid before Parliament today and take effect on 1 April.

Mr. Chope: To ask the Secretary of State for Trade and Industry what factors underlie the delay in laying before the House the National Minimum Wage Regulations. [71731]

Mr. Ian McCartney: There has been no delay.

Mr. Chope: To ask the Secretary of State for Trade and Industry (1) when the drafting of the National Minimum Wage Regulations was completed; [71734]

(2) on what date he intends to lay the National Minimum Wage Regulations. [71733]

Mr. Ian McCartney: The drafting of the National Minimum Wage Regulations has been completed and the Regulations were laid before Parliament for approval today.

South Asia

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will make a statement on the way in which the UK is advancing its policies on sustainable development through international trade with South Asia. [70998]

Mr. Wilson *[holding answer 15 February 1999]:* The Department of Trade and Industry, in conjunction with the Foreign and Commonwealth Office and the Department for International Development (DfID), consistently work together with the Governments of South Asia to promote sustainable development in the region through both international trade and overseas investment.

Trade liberalisation and increased international trade have also enabled developing countries such as those in South Asia to derive more benefit from access to overseas markets and from inward investment. This in turn increases prosperity and enables developing countries to raise their standards of environmental and social protection. We will continue to support actively this process both bilaterally and through international fora such as the WTO and EU where we work to enhance access for trade from South Asia.

The UK is a major trading and investment partner for the countries of South Asia. An area critical to sustainable development is that of infrastructure. In this regard the Department works closely with the private sector and other bodies, such as DfID, the Export Credits Guarantee Department and the Commonwealth Development Corporation, to maximise the UK's contribution to the development of South Asia.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Trade and Industry for what reasons he was not able to provide a figure for expenditure on public opinion research in his answer to the hon. Member for Bath of 28 January 1999, *Official Report*, column *315*; and for what reasons this did not apply to his answer to the hon. Member for Gordon (Mr. Bruce) of 17 February 1998, *Official Report*, columns *567–69*. [70669]

Mr. Byers *[holding answer 11 February 1999]:* Information on the cost of public opinion research is not separately identified. The list of surveys and cost given in the answer to the hon. Member for Gordon (Mr. Bruce) on 17 February 1998, *Official Report*, columns *567–69*, included all surveys which involved an element of public opinion gathering but it is not possible separately to identify the costs of that element.

Mr. Don Foster: To ask the Secretary of State for Trade and Industry if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70965]

Mr. Byers *[holding answer 15 February 1999]:* Management of the web sites of my Department, agencies and non-departmental public bodies, and Government Offices for the Regions is devolved to those with responsibility for particular areas. The costs associated with setting up and on-going operation of sites are not held or collected centrally and therefore the information requested could be provided only at disproportionate cost. The same is true both for future expenditure plans and for information on final costs versus initial budget estimates.

In terms of topics covered, the DTI site and associated sites now offer information on nearly every area of the Department's responsibilities and the central DTI site (those within the Web domain "www.dti.gov.uk") received an average of just over 3,000,000 hits per month over the last six months. Again, hits for all the sites for which my Department is responsible could be calculated only at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 28 January 1999, *Official Report*, column *315*, if he will list the expenditure not included in his answer incurred by *(a)* his agencies and non-departmental public bodies and *(b)* the Central Office of Information for relevant work carried out for his Department. [71018]

Mr. Byers *[holding answer 15 February 1999]:* Expenditure on direct mail and advertising incurred through the COI and not included in my previous answer was £26,000 and £1.14 million respectively.

Chief Executives of the Department's Executive Agencies have been asked to write to the hon. Member direct. Expenditure for non-departmental public bodies is not held centrally and could be produced only at disproportionate cost.

Mr. Don Foster: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 28 January 1999, *Official Report*, column *315*, if he will list the expenditure not included in his answer incurred *(a)* by task forces and review bodies, *(b)* by focus groups, *(c)* on market research and *(d)* for publications and publicity; and if he will list the bodies which incurred the expenditure. [71019]

Mr. Byers *[holding answer 15 February 1999]:* Information on expenditure by task forces, review bodies and focus groups is not held centrally and could be produced only at disproportionate cost.

Expenditure from DTI's centrally-managed budgets for publications and all other forms of publicity, except advertising and direct mail, since May 1997 has been £6.59 million.

Privatised Research Establishments (Sale)

Dr. Lynne Jones: To ask the Secretary of State for Trade and Industry what restrictions apply to the sale of privatised research establishments to new owners. [69663]

Mr. Battle: Because research establishments provide a wide range of outputs and services, Government considered the details of each potential sale on a case by case basis. Restrictions relating to the *re-sale* of privatised researched establishments will depend on the original terms of sale of each privatised research establishment.

St. Kilda

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry what assessment has been made of the potential impact on the natural environment around St. Kilda following the decision to grant a licence for oil exploration. [70990]

Mr. Battle: The advice of the Joint Nature Conservation Committee (JNCC, the Government's statutory advisers on environmental matters) was fully taken into consideration in the decision about which blocks should be offered for licence in the 17th Round of offshore petroleum licensing. In the light of the JNCC's advice, no blocks were offered for licence within 25 miles of St. Kilda. In the event, the nearest block for which a licence was awarded is 45 miles from the island.

Any deep drillings, as well as developments for the commercial extraction of oil or gas and the construction of pipelines, are also subject to project-specific consent under the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1998. These implement the Environmental Impact Assessment Directive (85/337/EEC) across the whole of the UK Continental Shelf. They require that before making any decision about the granting of consent for specific petroleum projects, the Secretary of State must consider the likely environmental impact of those projects. Under the Regulations, the JNCC and the relevant fisheries departments are consulted about all applications for consent and where they recommend that a full environmental statement be required, that statement must be made available to the public for their comments and the Secretary of State must take into consideration any comments when making his decision about consent for the relevant project.

Companies carrying out seismic surveys on the UK Continental Shelf are required to follow guidelines produced by the JNCC to reduce the possible impact of noise during surveys. Reports of cetaceans sighted during these surveys are published by the JNCC annually.

Assisted Area Status (Ystradgynlais)

Mr. Livsey: To ask the Secretary of State for Trade and Industry if he will designate the Ystradgynlais area in Powys as having assisted area status under derogation 92/3c. [71323]

Mr. Wills: No decisions have been taken on the review, but careful consideration will be given to the needs of all areas.

Business Excellence Model

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will make a statement on Government policy on the use of the Business Excellence Model in SMEs. [70150]

Mr. Wills: The Government are supporting the use of the Business Excellence Model as a framework for businesses to adopt a systematic approach to business improvement. DTI is a founder member of the British Quality Foundation, which is responsible for developing and disseminating the model in the UK. DTI best practice materials have been developed around this model and also promote its use. Furthermore, the Department is encouraging Business Links to use the Business Excellence Model in their work with SMEs and it will also form part of the recently announced CBI/DTI "Fit for the Future" campaign.

Unsolicited Faxes

Dan Norris: To ask the Secretary of State for Trade and Industry when he expects details to be announced of the scheme to enable corporate subscribers to opt out of receiving unsolicited direct marketing faxes. [71068]

Mr. Wills: Under the Telecommunications (Data Protection and Privacy) (Direct Marketing) Regulations 1998, the Office of Telecommunications (OFTEL) is responsible for establishing a scheme to enable corporate subscribers to opt out from receiving unsolicited direct marketing faxes. The Director General of Telecommunications has issued invitations to tender to run the scheme, and expects to award a contract at the end of March. The successful tenderer will announce details of the scheme shortly thereafter.

Unsolicited Telephone Calls

Dan Norris: To ask the Secretary of State for Trade and Industry what plans he has to regulate unsolicited direct marketing telephone calls to private individuals. [71069]

Mr. Wills: The Government have addressed this issue in the Telecommunications (Data Protection and Privacy) (Direct Marketing) Regulations 1998, which come into force on 1 May. The Regulations establish an "opt-out" scheme for individual subscribers (private individuals and sole traders in the UK, as well as partnerships in England, Wales and Northern Ireland) who do not wish to receive unsolicited direct marketing calls. The Office of Telecommunications (OFTEL) is responsible for establishing the opt-out scheme. The Director General of Telecommunications has issued invitations to tender to run the scheme, and expects to award a contract at the end of March.

SOCIAL SECURITY

Legal Services

Mr. Ruffley: To ask the Secretary of State for Social Security if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70036]

Mr. Timms *[holding answer 8 February 1999]:* The information is not available and could be obtained only at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathon Crowe as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom departments are expected to use for the rest of the government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not one of the approved panels can be instructed to appear for the government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their Departmental legal advisers, for example where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

On 1 September 1995 the DSS established framework agreements for the supply of legal services with three firms of solicitors—Bird & Bird, Dibb Lupton & Allsop, and Wansboroughs Willey Hargrave. Under that framework agreement the DSS HQ and its Agencies have used those firms for major information technology contracts, some of which are continuing. However specifying sums of money paid to them would involve disproportionate costs.

The framework agreements have recently been re-let, the successful solicitors being Bird & Bird, Dibb Lupton & Allsop, Simmonds & Simmonds and Eversheds.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Social Security (1) which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement; [69979]

(2) which of the advisory non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings and *(c)* have lay or consumer representatives on their boards; and if in each case this is under a statutory requirement; [69959]

(3) which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement; [69830]

(4) which of the executive non-departmental public bodies sponsored by his Department have a statutory base; and which are subject to investigation by the Parliamentary Commissioner; [69910]

(5) which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69944]

Mr. Timms: This Department sponsors two executive Non-Departmental Public Bodies (NDPBs). The information for these bodies is set out in the table.

	DSS executive NDPBs			
	Occupational Pensions Regulatory Authority		*Pensions Compensation Board (PCB)*	
	Voluntary	*Statutory requirement*	*Voluntary*	*Statutory requirement*
Have a statutory base?		Yes		Yes
Admit members of public to all board or committee meetings?	Not practicable		Not practicable	
Hold public meetings?	No	—	No	—
Have lay or consumer representatives on their boards?	—	—	—	—
Operate some form of appeal or complaints procedure?	Yes	—	—	Yes
Subject to investigation by the Parliamentary Commissioner?	—	Yes	—	Yes

DSS executive NDPBs

	Occupational Pensions Regulatory Authority Voluntary	*Occupational Pensions Regulatory Authority* Statutory requirement	*Pensions Compensation Board (PCB)* Voluntary	*Pensions Compensation Board (PCB)* Statutory requirement
Publish minutes of meetings?	No	—	No	—
Publish agendas and documents for those meetings?	No	—	No	—
Publish a register of members' interests?	Yes	—	Yes	—

PCB meets when there is a claim for compensation and will potentially be considering commercially confidential information. The Board may hold oral hearings to gather information and these could be held publicly if parties agree.

The OPRA and PCB Boards are made up of representatives nominated, according to the requirement of the legislation governing the bodies, from various parts of the pensions industry, and organisations such as the TUC and CBI. However, the Board members do not serve in any type of representative capacity, and in discharging their functions each Board member is required to set aside any vested interests.

OPRA's three-stage complaints procedure is explained in their leaflet 'Putting things right—a guide to how we handle complaints'. Complaints which are not resolved either by a complaints officer (stage 1) or the chairman (stage 2) are referred to an independent complaints adjudicator.

PCB's complaints procedure is explained in 'The Pensions Compensation Board (Determinations and Review Procedures) Regulations 1997'.

Both the OPRA and PCB Boards have agreed codes of conduct based on the model code issued by Cabinet Office. A Register of Board members' interests is held and updated on a regular basis. Copies of the register are available from the Secretary of each Board.

This Department sponsors five advisor NDPBs. The information for these bodies is in the table.

DSS Advisory NDPBs

	Central Advisory Committee on War Pensions (CACWP)	*Disability Living Allowance Advisory Board (DLAAB)*	*Industrial Injuries Advisory Council (IIAC)*	*Social Security Advisory Committee (SSAC)*	*War Pensions Committees (WPC)*
Admit members of public to all board or committee meetings?	No	No	No	No	No
Hold Public meetings?	No	No	No	No	No
Have lay or consumer representatives on their Boards?	Yes	Yes		—	Yes
Publish minutes of meetings?	Yes	No	Yes	No	Yes
Publish agendas and documents for those meetings?	Yes	No	No	No	Yes
Publish a register of members' interests?	Yes	Yes	Yes	Yes	Yes

DLAAB meets representatives from groups involved in working with and for people with disabilities. Through this contact the Board is able to gain a different perspective of the needs of people affected by various conditions and take into account their concerns.

These activities are undertaken by a statutory requirement, all other activities are undertaken on a voluntarily basis.

The legislation which governs CACWP and the WPCs requires there to be representatives of ex-service organisations or persons with ex-service experience.

The legislation which governs DLAAB requires there to be at least one member with personal experience of caring for disabled person, and six or more who are disabled persons.

The legislation that governs IIAC requires that the members other than the chairman shall include an equal number of persons appointed by the Secretary of State, after consultation with such organisations as he thinks fit, to represent employers and employed earners respectively.

The legislation that governs SSAC requires that one member must be appointed after consultation with organisations representative of workers, one after consultation with organisations representative of employers, one after consultation with the head of DHSS Northern Ireland, and one member must have experience of work among chronically sick and disabled people and should preferably but not necessarily be a chronically sick or disabled person. However, these members do not act in a representative capacity.

Both the minutes and the agenda/associated papers of CACWP meetings are publicly available. They are circulated to a wider audience than just Committee members, i.e., all War Pensions Committees and certain ex-service organisations not represented on CACWP. Copies are also available to others on request.

A summary of meetings will be made available on IIAC's website.

Both the minutes and agenda/associated papers of WPC meetings are available on request.

Each Board have agreed a code of conduct, and compiled a register of Board members' interests that is available for public inspection.

Minimum Income Guarantee

Mr. Flynn: To ask the Secretary of State for Social Security if he will estimate the additional costs which would be incurred by including in his package of measures to tackle pensioner poverty the annual uprating of the Minimum Income Guarantee in line with average earnings in *(a)* 2000–01 and *(b)* 2001–02. [71481]

Mr. Timms *[holding answer 15 February 1999]:* The additional costs of uprating the Minimum Income Guarantee in line with average earnings is estimated to be £260 million in 2000–01 and £560 million in 2001–02.

Notes:

1. Figures have been rounded to the nearest £10 million.
2. The figures are based on forecasts of pensioners in receipt of Income Support consistent with estimates provided for the Comprehensive Spending Review settlement.

Minimum Wage

Mr. Kemp: To ask the Secretary of State for Social Security what savings he estimates will be achieved in the social security budget for 1999–2000 as a result of the introduction of the national minimum wage within *(a)* the northern region and *(b)* the city of Sunderland. [70369]

Mr. Darling: The information is not available in the form requested. Such information as is available is in the table.

Estimates of the effect on DSS benefit expenditure of the introduction of the national minimum wage

£ million (1999/2000)

Benefit	*Savings*
Income Support	10
Jobseeker's Allowance (income-based)	10
Housing Benefit	110
Family Credit/Working Families Tax Credit	185
Council Tax Benefit	25
Total	340

Notes:

1. Savings figures are calculated by raising the earnings of current benefit recipients to the level of the National Minimum Wage. No other factors are taken into account.

2. Estimates are based on the 1995–96 Family Resources Survey, imposing the 1999–2000 tax and benefit structure, assuming 1998–99 levels of caseloads, prices, benefit rates and earnings. Estimates are rounded to the nearest £5 million.

Pensioners (Income Support)

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate how many pensioners would receive income support in each of the next five years assuming *(a)* that the April 1998 level of income support was indexed to prices and *(b)* that the Government implement their proposed minimum income guarantee for pensioners. [70596]

Mr. Timms: The information is not available in the format requested. Such information as is available is in the table.

Thousand

	Estimated number of pensioner units receiving income support assuming:	
	(a) Price indexation of income support	*(b)* Implementation of MIG
1999–2000	1,495	1,[illegible]60
2000–01	1,608	1,673
2001–02	1,722	1,787

Notes:

1. Pensioner benefit unit means a single person aged 60 or over, or a couple where one member is aged 60 or over.

2. Figures are not available for years beyond 2001–02. The figures are estimates of the average number of cases in each financial year. Figures are rounded to the nearest 1,000.

3. Figures given for part (b) are consistent with those published in the November 1998 pre-budget report.

4. The figures exclude pensioners in residential care and nursing homes.

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 13 January 1999, *Official Report* column 222, what assumptions about post-retirement indexation of (i) the basic state pension, (ii) the state second pension and (iii) the minimum income guarantee underlie his estimates of the numbers of pensioners on income support. [70803]

Mr. Timms: The estimates provided assume that the basic State Pension and State Second Pension are indexed in line with prices when in payment, and that the Minimum Income Guarantee is indexed in line with the growth in average earnings (assumed to be 1.5 per cent. per year above the growth in prices).

The actual level of indexing of the Minimum Income Guarantee in future years will depend on the prevailing economic conditions. We have stated that our long-term objective is to increase the Minimum Income Guarantee in line with average earnings, as resources allow, so that even the least well off pensioners can share in rising national prosperity.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Asset Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70409]

Mr. Timms *[holding answer 11 February 1999]:* The National Asset Register published in November 1997 showed the assets held by the Department, its agencies and associated public bodies to be 195 freehold properties, 54 historic leasehold properties, 59,500 personal computers, 24,400 printers and 2,853 vehicles.

In the period to the end of January 1999 the Department sold a relatively small percentage of its personal computers and printers. 746 vehicles were sold realising £2,223,458.

The Department's freehold and historic leasehold properties were transferred to the private sector as part of two Private Finance Initiative deals. On 8 January 1998 the Department transferred the six properties in the Newcastle Estate (Newcastle Longbenton, Gosforth Broadway West, Newcastle Ponteland Road, Washington Emerson House, Newcastle Tyneview Park and Washington Durham House) to the Newcastle Estate Partnership. The Department did not receive a cash sum but will be charged rentals at a reduced rate for the period of the contract. On 1 April 1998 the remainder of the Department's estate was transferred as part of the Private Sector Resource Initiative for Management of the Estate (PRIME). The Department received cash consideration of £250 million. The National Audit Office have performed Value For Money studies on both of the contracts. The reports are due to be published later this year.

The estimated total cash raised from such sales to date is £252,223,458.

Civil Servants (Misconduct)

Mr. Maclean: To ask the Secretary of State for Social Security if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70783]

Mr. Timms: I refer the right hon. Member to the Written Answer from my hon. Friend the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, column 569.

Single Gateway

Mr. Field: To ask the Secretary of State for Social Security what additional resources will be made available to fund interviews taking place under the Single Gateway system proposed in the Welfare Reform and Pensions Bill. [71189]

Angela Eagle: The Single Work-Focused Gateway will be piloted in 12 areas, commencing in June 1999. A total of £79.5 million in additional resources has been allocated, from the Invest to Save Budget, to fund these pilot exercises. An important reason for piloting the Single Work-Focused Gateway is to measure the costs in order to inform decisions about national implementation.

Bereavement Benefits

Mr. Field: To ask the Secretary of State for Social Security if widowers who become eligible for widowed parent's allowance or bereavement allowance will have payments based upon their own, or their spouse's national insurance contribution record; and if he will estimate the annual costs of making benefit payments based on the best of either their own or their spouse's record. [71415]

Angela Eagle: In line with the contribution conditions currently applied to Widows' Benefits, entitlement to bereavement benefits for widowers will be calculated on the National Insurance contribution record of the spouse.

Information on annual costs of calculating entitlement based on the best of either the widowers own or their spouses contribution record is not available. However, if entitlement to bereavement benefits were based on widowers own contribution record, the estimated extra benefit cost would be of the order of £40 million a year in the first three years of the scheme (there would also be additional administrative costs).

Notes:

1. Estimates are presented net of income-related benefit offsets, in line with those in the consultation document "A new contract for Welfare: Support in Bereavement".

2. Income-related benefit offsets were estimated using the 1995–96 Family Resources Survey and the Income Support Quarterly Statistical Enquiries.

3. The underlying contributory benefit effects have been provided by the Government Actuaries Department.

4. Estimates are rounded to the nearest £10 million and provide broad orders of magnitude.

Incapacity Benefit

Mr. Field: To ask the Secretary of State for Social Security if he will break down the estimated savings to be made on changes to incapacity benefit into those from *(a)* the clawback on occupational payments and *(b)* the introduction of new contributory rules. [71417]

Mr. Bayley: The proposed modernisation of Incapacity Benefit for new claimants, with reformed contribution conditions and taking into account 50 per cent. of amounts of occupational and personal pensions over £50 a week, will reduce benefit expenditure. It is estimated that it will be reduced by £70 million in the first year (£45 million due to occupational pensions and £25 million to contribution conditions), £255 million in the third year (£190 million due to occupational pensions and £60 million to contribution conditions) and £700 million per year after 10 years (£550 million due to occupational pensions and £150 million to contribution conditions).

Notes:

1. Figures may not sum due to rounding.

2. Savings from taking account of occupational and personal pensions allow for overlap with savings from reformed contribution conditions.

3. 10 year figures are rounded to the nearest 50 million which reflects the greater degree of uncertainty in the longer term.

Single Parents (Income Support)

Mr. Field: To ask the Secretary of State for Social Security if he will list the numbers of single parents claiming income support since 1994, broken down into those claimants who are *(a)* single, *(b)* widowed, *(c)* separated and *(d)* divorced; and if he will also list the number of children of single parents in each of these categories. [71416]

Angela Eagle: The information is not available as details on the marital status of Income Support claimants is not collected.

Press Releases

Mr. Don Foster: To ask the Secretary of State for Social Security how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71454]

Mr. Timms: The information is in the table.

The number of press releases issued by the department and its agencies from 1990 to 1998

Year	*HQ*	*Benefits Agency*	*Contributions Agency*	*Child Support Agency*
1991	198	7		
1992	219	21	2	
1993	229	25	26	18
1994	211	29	26	1
1995	180	29	20	2
1996	294	34	21	1
1997	291	60	50	10
1998	311	42	28	4

Notes:

1. During the year 1990 the Department was part of the Department of Health and Social Security. Figures are not available for that year.

2. Prior to 1992 the Department's HQ Press office distributed press releases concerning information on National Insurance Contributions.

3. Press Releases for the War Pensions Agency and Information Technology Services Agency are included in the figures given for Headquarters.

Mr. Don Foster: To ask the Secretary of State for Social Security if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71469]

Mr. Timms: Rules governing the work of the Government Information and Communications Service are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the

Working Guide for Government Information Officers. Copies of both documents are in the Libraries of the House.

The total cost of press releases issued since May 1997 is as follows.

Copies of Headquarters Press Notices are distributed to the media electronically on our behalf by the Central Office of Information (COI). From May 1997 to December 1998 the total cost of distribution via the COI was £36,693.

Benefits Agency total cost £6,595.

Contributions Agency total cost £4,810.

Child Support Agency total cost £1,866.56.

The costs of press releases issued by the War Pensions Agency and Information Technology Service Agency are included in the total for Headquarters.

Pensions

Mr. Field: To ask the Secretary of State for Social Security (1) if he will estimate *(a)* the proportion of the working age population and *(b)* the number of people of working age, with (i) an occupational pension and (ii) a personal pension; and if he will give the same estimates for each year from 1992; [71651]

(2) if he will estimate *(a)* the proportion of the working population and *(b)* the number of people of working age who have (i) an occupational pension and (ii) a personal pension and who are only paying in levels of contributions equal to or lower than their National Insurance rebates. [71653]

Mr. Timms: The information is not available in the format requested. Such information as is available is set out here.

There are about 35 million people of working age in Great Britain. About 10.5 million (30 per cent.) of these people are members of an occupational pension scheme. It is not known how many of these only pay contributions equal to or lower than their National Insurance rebates.

There were about 5.6 million holders of appropriate personal pensions (APPs) at the end of September 1997. Of these about 3 million pay no further contributions into their APP in addition to the National Insurance rebate. However some holders of these plans may also make payments into other personal pension plans.

In total there are about 10 million personal pension plans held at present, although some plan holders will have more than one plan. Information on the amounts paid into these plans is not available.

Information on the numbers of people with occupational and personal pensions are not available for each year since 1992.

Customer Satisfaction Surveys

Mr. Field: To ask the Secretary of State for Social Security what surveys of customer satisfaction have been carried out by *(a)* the Benefits Agency, *(b)* the Employment Service and *(c)* the Child Support Agency since 1992; and if he will place copies in the Library. [71652]

Angela Eagle: The Benefits Agency carried out national customer satisfaction surveys in 1992, 1993, 1994 and 1995. The Child Support Agency carried out national customer satisfaction surveys in 1992, 1993, 1994 and 1995. The Employment Service carried out surveys of the satisfaction of Jobcentre users in 1992, 1993, 1994, 1995 and 1997.

Copies of all surveys have been placed in the Library.

Since 1995 this Department has conducted further research and surveys on customers' views of service delivery. These concentrate on aspects of service where information is limited—for example, because there have been changes to service or where potential issues, or areas for improvement, have been identified. Research is also conducted to monitor Charter standards.

Disabled Claimants

Mr. Loughton: To ask the Secretary of State for Social Security what plans he has to ensure the provision of *(a)* suitable training for interviewers to handle sensitive the special requirements of the physically and mentally disabled, *(b)* measures to ensure full disabled access to all buildings in which claimants will be interviewed and *(c)* a sufficiently flexible time limit requirement for attending interviews to meet the needs of claimants with particular disabilities before the implementation of his welfare reform proposals relating to the disabled. [71583]

Mr. Bayley: We will ensure that advisers are equipped with sufficient skills and knowledge to deal effectively and sensitively with people who are physically or mentally disabled. This will include identifying where more specialist help and support is necessary and making arrangements to enlist that support on behalf of the individuals concerned.

We are committed to ensuring that disabled people have unrestricted access to services and sites. Accordingly, we will ensure that the Single Work-Focused Gateway will be delivered from sites offering full access. We will also ensure that disabled people are given sufficient time to make arrangements to attend an interview; are given sufficient opportunities to attend; have access to specialist communicators where necessary and have the opportunity for the interview to take place in their home where necessary.

Lone Parents (Single Gateway)

Miss McIntosh: To ask the Secretary of State for Social Security what representations he has received on the interview and single gateway for lone parent families; and if he will make a statement. [71711]

Angela Eagle: Officials from this Department have met with representatives of national organisations representing lone parent families. They have expressed general support for the principles which underpin the Single Work-Focused Gateway and officials are currently working to ensure that any concerns expressed by the organisations are recognised in the ongoing development of the gateway.

Disabled People (Single Gateway)

Miss McIntosh: To ask the Secretary of State for Social Security what representations he has received on the interview and single gateway for disabled people; and if he will make a statement. [71712]

Angela Eagle: Following publication of "A New Contract for Welfare: The Gateway to Work" (Cm 4102), this Department has received a total of 342 responses, 150 of which made representations on the Single Work-Focused Gateway in relation to disabled people. In addition, officials from the Department have met with representatives of national organisations representing disabled people. They have expressed general support for the principles which underpin the Single Work-Focused Gateway and officials are currently working to ensure that any concerns expressed by the organisations are recognised in the ongoing development of the gateway.

Lone Parents (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Social Security what is the average number of hours that lone parents in receipt of income related benefits work per week in Portsmouth. [69852]

Angela Eagle: The administration of income related benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Mike Hancock, dated 15 February 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what the average number of hours is that lone parents in receipt of income related benefits work per week in Portsmouth.

The information requested is only partially available. The main income related benefits for working families are Family Credit (FamC) and Disability Working Allowance (DWA). Details are available from a 5 per cent. sample of claims in payment for FamC and a 100 per cent. scan of the DWA claims in payment. The latest information available is for August 1998 and shows that the average number of hours worked are 24 for FamC and 25 for DWA.

There are other income related benefits which families may receive, notably Income Support, Housing Benefit, and Council Tax Benefit. Unfortunately details of the number of hours worked cannot be obtained.

I am also able to inform you that the scan of FamC and DWA cases indicated that there were approximately 1,400 lone parents receiving FamC (rounded to the nearest 100) and 29 receiving DWA in the Portsmouth Local Authority District.

I hope that you find the above information useful.

Family Credit (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Social Security (1) for how many hours on average the main earners in couples receiving family credit work per week in Portsmouth; [69682]

(2) how many families receive the maximum family credit benefits in Portsmouth. [70275]

Angela Eagle: The administration of Family Credit is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Mike Hancock, dated 15 February 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking, how many hours the main earners in couples receiving Family Credit work per week, and how many families receive the maximum family credit benefits, in Portsmouth.

The information is not available in the format requested. Family Credit is a national benefit and is administered centrally by the Family Credit Unit and statistics are produced on a national basis.

However, a periodic scan of the computer System is conducted which obtains details from a 5% sample of the claims in payment. As at August 1998, this indicated that the main earners, in couples receiving Family Credit, worked on average 31.3 hours per week, and that there were 1,100 families (rounded to the nearest 100) in receipt of the maximum amount of Family Credit, in the Portsmouth Local Authority District.

I hope you find this reply useful.

Tobacco and Alcohol Smuggling

Mrs. Lait: To ask the Secretary of State for Social Security how many disability claimants have had their benefits withdrawn by the Benefits Agency because they have been found to be smuggling or bootlegging tobacco and alcohol, and how much money was saved in 1997–98. [70014]

Mr. Timms: The administration of benefits is the responsibility of the Chief Executive of the Benefits Agency, Peter Mathison. I have asked him to write to the hon. Member.

Letter from Peter Mathison to Mrs. Jacqui Lait, dated 15 February 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many disability benefits claimants have had their benefits withdrawn by the Benefits Agency (BA) because they have been found to be smuggling or bootlegging tobacco and alcohol, and how much money was saved in 1997–98.

The information is not available in the format requested because it is not possible to identify how many claimants of any particular benefit have had their benefit or benefits stopped or withdrawn specifically because of bootlegging or smuggling activities, and how much money was saved in such cases.

However I can tell you that we have specific activity going on in the Channel area. David Riggs wrote to you on my behalf on 25 March 1998, following an earlier Parliamentary Question you tabled, and let you know about the BA Ports project. The Ports Project achieved savings of £1.24m in the year 1997/98 and its success led to our decision in April 1998 to create a separate unit to carry on with the work. In the current year to date, this team known as Port Fraud Investigation Team, has achieved savings of £1.49m.

I hope you find this reply helpful.

Working Parents

Audrey Wise: To ask the Secretary of State for Social Security if he will list the extra child care provisions put in place since the launch of the plan for Parents at Work by the Benefits Agency in May 1998. [70171]

Angela Eagle: The administration of the Benefits Agency is a matter for the Chief Executive, Peter Mathison. I will ask him to write to my hon. Friend.

Letter from Peter Mathison to Audrey Wise, dated 15 February 1999:

I am replying to your recent Parliamentary Question asking if I will list the extra childcare provisions put in place since the launch of the plan for Parents at Work by the Benefits Agency (BA) in May 1998.

I am pleased to have the opportunity to give you an update on progress with our Nine Point Plan for Parents at Work. It may be helpful if I briefly outline the actions we have taken so far.

Our main objective has been to set up a comprehensive network of Childcare Champion posts that have now been filled, with the last Champion taking up post in December last year. We know from the major review of childcare provision which we undertook in the BA in 1997 that there is a significant demand from staff for childcare but not enough holiday playschemes in operation.

The first task of the Childcare Champions is to establish the areas of greatest need for playschemes. Approximately thirty possible schemes have already been identified and we expect ten of these to be up and running by Summer 1999. East new scheme will receive initial funding of up to £3000. We aim to have a further forty schemes established by March 2001. The Childcare Champions will also consider whether any of the holiday playschemes can be extended to provide after-school clubs but we expect the scope for this to be fairly limited.

Participation on management committees for the Early Years Development and Childcare Partnerships has been secured by some of the Childcare Champions. This will help the Agency play an active part in local childcare planning alongside Local Education Authorities and Training Enterprise Councils etc. We will also be looking to encourage other employers from the public, private and voluntary sector, to join us in partnership with the aim of improving childcare provision for all working parents in the community.

As you will be aware, the Nine Point Plan also highlighted areas for improvement of the BA's Family Friendly policies. There has been considerable progress in this area with provision made to allow staff paid leave to sit on local Out of School Development Committees. A "Family Friendly" booklet has been produced and distributed to staff setting out the range of family friendly and childcare policies available.

To ensure that managers and staff fully understand the real business benefits of effective family friendly policies, a further booklet "The Business Benefits of Family Friendly Policies" with examples of good practice for all line managers has also been produced and distributed. Also an article entitled "Parents at Work" has been published in the Agencies "BA Newsletter" and seminars have been held country wide to launch the initiative positively and gain the understanding and support of managers at all levels.

The Agency already has family friendly policies, providing 325 nursery and 1,350 holiday playscheme places for staff, which compares favourably with external organisations. Our commitment to full implementation of our Nine Point Plan will go even further towards helping all our staff balance more effectively their work and family lives.

I hope you find this reply helpful.

Miss H. McNulty

Mr. Winnick: To ask the Secretary of State for Social Security (1) what contact was made with Walsall Social Services before Miss H. McNulty, of Walsall, reference JP/4L/JKM was refused a Social Fund payment for a mobility scooter; and if he will make a statement; [70445]

(2) for what reasons Miss H. McNulty, reference JP/4L/KJM in Walsall was refused a social fund payment for a mobility scooter; [70447]

(3) if Miss H. McNulty, of Walsall, reference JP/4L/JKM was seen by officials prior to a decision being made that she should not receive a Social Fund payment for a mobility scooter; [70444]

(4) what circumstances were taken into account when deciding that a Social Fund payment for a mobility scooter should be refused in the case of Miss H. McNulty, of Walsall, reference JP/4L/KJM; [70446]

(5) if he will ensure that the local Benefits Agency office in Walsall reconsiders the application by Miss McNulty; and if he will make a statement. [70768]

Angela Eagle: The administration of the Social Fund is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. David Winnick, dated 15 February 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about the Benefits Agency (BA) refusal of a Social Fund payment to Miss H McNulty, in particular whether contact was made with Walsall Social Services before a decision was made; for what reasons a payment was refused; if Miss McNulty was seen by officials prior to the decision, what circumstances were taken fully into account; whether the local office intends to send an official to see Miss McNulty; and if the local office in Walsall will reconsider the application.

Neither the Social Fund Officer, Social Fund Review Officer or Social Fund Inspector made any contact with Walsall Social Services prior to making their respective decisions to refuse a Social Fund payment to Miss McNulty for a mobility scooter. It is not the practice of the BA to approach Social Services without the express permission of the customer. The application form which Miss McNulty completed asked if there was anyone she would like contacted in connection with the application, but the offer was declined.

Miss McNulty was refused a Community Care Grant for a mobility scooter on the grounds of insufficient priority. Although the eligibility and qualification criteria for a Community Care Grant [Social Fund directions 25 and 4 (a) (ii)] were met, the demands on the district grants budget are such that only high priority grant applications can be met. The Social Fund Officer, Social Fund Review Officer, and Social Fund Inspector decided that Miss McNulty's need for a mobility scooter was not of high priority in her circumstances.

The eligibility and qualification criteria for a Budgeting Loan [Social Fund directions 8 and 2] were also met. Again, the demands on the district loans budget are such that only high priority loan applications can be met. The Social Fund Officer, Social Fund Review Officer, and Social Fund Inspector decided that Miss McNulty's need for a mobility scooter was not of high priority in her circumstances, so a Budgeting Loan was refused.

A Crisis Loan was refused because the Secretary of State has excluded mobility needs from consideration for a Crisis Loan [Social Fund direction 23].

The mobility scooter was not considered to be a medical item as it does not treat, cure, alleviate, prevent, or diagnose a medical condition. [Medical items are excluded by the Secretary of State from Social Fund payments]

Miss McNulty was not seen by officials of the Benefits Agency or Social Fund Inspectorate prior to the decision to refuse her a Social Fund payment. However she received copies of all papers relating to her application and replied to these papers with her own comments.

There is no provision in the Social Fund scheme for the local office to reconsider the application after it has been subject of a decision by a Social Fund Inspector, therefore there is currently no intent to visit Miss McNulty in connection with the application in question.

I empathise with the difficulties faced by many of our customers, particularly our vulnerable and disabled customers such as Miss McNulty. I am satisfied that my staff have given full consideration of the facts but accept a home visit could have been carried out.

There are two possible ways forward: Miss McNulty could either make another application for a payment from the Social Fund for a mobility scooter, but an immediate repeat application would be excluded by Direction 7 (if this was made within 26 weeks of her former application); or she could apply for a judicial review of the first decision if she thinks that there was an error in law in the processing of the application.

I am sorry I could not be of more help on this occasion.

WALES

Task Forces

Mr. Robert Jackson: To ask the Secretary of State for Wales if he will list the *(a)* task forces, *(b)* review panels and *(c)* advisory groups within his Department; and if he will state, in respect of each, (i) the remit, (ii) the membership, (iii) details of members' principal employment and (iv) the level of members' remuneration. [70042]

Mr. Michael: I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Environmental Enhancement Works

Mr. Barry Jones: To ask the Secretary of State for Wales what plans the Welsh Development Agency has for environmental enhancement works for *(a)* the urban corridors from Queensferry to Connahs Quay, Deeside and *(b)* Buckley, Flintshire; and if he will make a statement. [70917]

Mr. Hain: This is an operational matter for the Welsh Development Agency and I have asked the Chief Executive to write to my hon. Friend directly. I will arrange for a copy to be placed in the Library of the House.

Civil Servants (Misconduct)

Mr. Maclean: To ask the Secretary of State for Wales if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70778]

Mr. Michael: I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Cabinet Office, on 15 February 1999, *Official Report*, column *569*.

Disabled People

Mr. Berry: To ask the Secretary of State for Wales what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71281]

Mr. Michael: Welsh Office expenditure on programmes targeted at supporting people with learning disabilities, physical and sensory disabilities and mental health problems totalled £46.6 million in 1998–99. Other expenditure related to people with disabilities is incurred in other programmes and by the Department as an employer but this is a normal and integral aspect of business which is not separately identified. For this reason the full proportion of departmental spending on people with disabilities cannot be identified.

Homelessness

Mr. Swayne: To ask the Secretary of State for Wales how many persons are currently registered homeless in Wales; and how many were so registered for the quarter ending June 1997. [71297]

Mr. Jon Owen Jones: Information is not collected centrally on the number of individual people estimated to be homeless. Information on homeless households is shown in the following table.

Homeless households: Wales

	April-June 1997	*July-September 1998*
Unintentionally homeless and in priority need	1,137	1,208
Intentionally homeless and in priority need	87	81
Homeless but not in priority need	1,020	95

Excludes households not eligible for assistance under the Housing Act 1996

Following the transfer of functions, this issue will be a matter for the National Assembly.

A4042

Mr. Swayne: To ask the Secretary of State for Wales what discussions he held regarding the bridging of A4042 during his recent visit to Croesyceiliog. [71164]

Mr. Hain: The visit was arranged by my hon. Friend the Member for Monmouth (Mr. Edwards) and I have since had discussions with Welsh Office officials.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Aggregate External Finance

Mr. Rowlands: To ask the Secretary of State for Wales what is estimated amount of aggregate external finance excluding specific grants for local government in 1999–2000; and how this figure compares with each year since 1992. [71650]

Mr. Michael: The figures requested are given in the following table.

Aggregate external finance in Wales, net of specific grants

Year	*£ million*
1992–93[1]	2,156.6
1993–94	2,139.5
1994–95	2,204.1
1995–96	2,238.3
1996–97	2,280.1
1997–98	2,333.4
1998–99	2,443.1
1999–2000	2,570.2

[1] Includes funding for Further Education. £124 million was transferred out of the local authority sector in 1993–94 when Further Education funding became the responsibility of the Further Education Funding Council for Wales.

Following the transfer of functions, this matter will become one for the National Assembly.

Mr. Rowlands: To ask the Secretary of State for Wales what is the estimated aggregate external finance as a percentage of the total standard spending of local government in 1999–2000; and what was the equivalent percentage in each year since 1992. [71649]

Mr. Michael: The requested figures are given in the following table.

Aggregate external finance as a percentage of total standard spending, net of specific grants

Year	Percentage
1992–93	89.4
1993–94	89.3
1994–95	88.5
1995–96	87.6
1996–97	86.7
1997–98	86.8
1998–99	86.3
1999–2000	86.1

Following the transfer of functions, this matter will become one for the National Assembly.

National Assembly

Mr. Swayne: To ask the Secretary of State for Wales what estimate he has made of the cost of the opening ceremony of the National Assembly. [71154]

Mr. Michael: An estimate of the costs involved in the Opening Ceremony of the National Assembly is currently being made, and details will be sent to the hon. Member when they are available.

National Carers Strategy

Mr. Burstow: To ask the Secretary of State for Wales if he will list for each local authority *(a)* the amount of grant that will be payable in each year to support the National Carers Strategy, *(b)* the estimated number of carers and *(c)* the product of dividing *(a)* by (b). [71103]

Mr. Jon Owen Jones: The information requested is not yet available. We are consulting widely with carers, their representatives and local authorities about how the National Strategy for Carers, announced by the Deputy Prime Minister on 8 February, should be implemented in Wales. Final decisions will be taken by the National Assembly for Wales.

Following the transfer of functions, the issues will be a matter for the National Assembly.

Press Releases

Mr. Don Foster: To ask the Secretary of State for Wales if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71472]

Mr. Michael: Rules governing the work of the GICS are laid down in the guidance of the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the "Working Guide for Government Information Officers". Copies of both documents are in the Library of the House.

The cost of press releases issued by my Department, Agencies and non-departmental bodies since May 1997 is not kept centrally, but I will write to the hon. Member as soon as possible and place a copy of my letter in the Library of the House.

Mr. Don Foster: To ask the Secretary of State for Wales how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71457]

Mr. Michael: The number of press releases issued by my Department in 1990 is not held centrally, but the figures for each of the years from 1991 to 1998 are:

1991: 622

1992: 668

1993: 759

1994: 644

1995: 631

1996: 599

1997: 650

1998: 774

So far this year—147.

The number of press releases issued by the Department's agencies and non-departmental bodies in those years is not kept centrally, but I will write to the hon. Member as soon as possible and place a copy of my letter in the Library of the House.

Personal Social Services

Mr. Burstow: To ask the Secretary of State for Wales if he will list *(a)* by social services authority and *(b)* in total (i) the standard spending assessment for personal social services in 1998–99; (ii) the standard spending assessment for personal social services in 1999–2000, (iii) the difference between the standard spending assessment for personal social services in 1998–99 and 1999–2000, (iv) that difference expressed as a percentage of the 1998–99 figure, (v) the special transitional grant for 1998–99, (vi) the difference between the standard spending assessment for personal social services in 1999–2000 and the standard spending assessment for personal social services for 1998–99 combined with the special transitional grant for 1998–99, (vii) the difference between the standard spending assessment for personal social services in 1999–2000 and the standard spending assessment for personal social services for 1998–99 added to the special transitional grant for 1998–99 and expressed as a percentage of the 1998–99 figure and (viii) the indicative level of specific and special grants for 1999–2000. [71319]

Mr. Jon Owen Jones: In Wales, standard spending assessments (SSAs) are not identified against specific service blocks as in England. Nor is there an equivalent of special transitional grant. Instead, each year since 1993, the Secretary of State has identified for each authority the additional indicative amount attributed to care in the community in its total SSA. The final tranche of £21 million was included in the 1998–99 general revenue settlement. Details are given in the following table.

As my right hon. Friend the Secretary of State announced on 3 February 1999, *Official Report*, column *610*, the local government settlement for 1999–2000 included £5 million to modernise and improve children's services. Again details of how these resources are to be distributed are given in the following table.

In addition, the Welsh Office is making available, through specific grant, £2.4 million in 1999–2000 to provide training support for personal social services.

Additional resources included in standard spending assessments for 1998–99 and 1999–200

£000

County or county borough council	*Additional resources for care in the community 1998–99*	*Additional resources for Utting 1999–2000*
Blaenau Gwent	533	130
Bridgend	917	228
Caerphilly	1,158	343
Cardiff	2,092	672
Carmarthenshire	1,343	231
Ceredigion	489	101
Conwy	935	146
Denbighshire	731	137
Flintshire	941	214
Gwynedd	920	156
Isle of Anglesey	494	100
Merthyr Tydfil	435	128
Monmouthshire	560	101
Neath Port Talbot	1,093	256
Newport	920	304
Pembrokeshire	800	174
Powys	887	144
Rhondda, Cynon, Taff	1,766	425
Swansea	1,685	441
Torfaen	615	184
Vale of Glamorgan (The)	790	213
Wrexham	898	207
Total county and county borough councils	21,000	5,033

Following the transfer of functions, this issue will be a matter for the National Assembly.

Lucas SEI Factory, Ystradgynlais

Mr. Livsey: To ask the Secretary of State for Wales if he will designate through the planning process the site of the Lucas SEI factory of Ystradgynlais in Powys as dedicated for manufacturing purposes. [70999]

Mr. Hain: This is a matter for the local planning authority. The adopted Powys Structure Plan already seeks to protect such sites from other forms of development. However, I am talking with Welsh Office officials, the Welsh Development Agency and others to provide alternative job opportunities involving manufacturing.

CABINET OFFICE

Working Time Directive

Mr. Tyrie: To ask the Minister for the Cabinet Office how many civil servants in each Government Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in each Department have refused to waive the requirement; and what is the total cost, broken down by department, of compliance with the Directive. [70994]

Mr. Kilfoyle: This information is not held centrally, and is obtainable only at disproportionate cost.

New Deal

Mr. Maclean: To ask the Minister for the Cabinet Office if he will list the numbers of New Deal participants currently working in each Government Department. [71187]

Mr. Kilfoyle: I refer the right hon. Member to the written answer my hon. Friend the Member for Leeds, East (Mr. Mudie), the Parliamentary Under-Secretary of State for Education and Employment, gave to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on 19 November 1998, *Official Report*, column *755*. Updated figures will be available towards the end of April.

Joint Consultative Committee

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office, pursuant to his answer of 10 February 1999, *Official Report*, column *229*, if he proposes to set a target end date for completion of the review of the work of the Joint Consultative Committee. [71730]

Dr. Jack Cunningham: No.

CULTURE, MEDIA AND SPORT

Football Task Force

Mr. Coaker: To ask the Secretary of State for Culture, Media and Sport what response he has made to the Football Task Force report, Investing in the Community. [71993]

Mr. Banks: I fully support the practical recommendations made in the Task Force's report on football and the community. I have written today to the bodies identified in the report as having a role to play in implementing the relevant recommendations.

There are several recommendations which are for Government to consider. One is to assist with the 'Players in the Community Days' which the Task Force has recommended the Professional Footballers' Association consider. The Government will offer whatever assistance is needed with this scheme in the light of their response.

The other four recommendations relate to Government funding for football, in particular at the grass roots level. My Department is carefully considering the proposals made by the Task Force in this area, especially how they relate to the overall objectives of the Department in relation to sport as a whole. I will be consulting other Government Departments where necessary.

Football plays a significant part in the community life, and footballers can play a key role in supporting community schemes and setting standards of behaviour. The Government will offer whatever assistance they can to help in the development of football in the community and at the grass roots level.

Public Bodies

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport which of the advisory non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and whether in each case this is under a statutory requirement. [69838]

Mr. Chris Smith: My Department fully supports the proposals on "Quangos: Opening the Doors" and is determined that the public bodies that it sponsors comply with its recommendations for greater openness at the earliest opportunity. The information requested about current practice is contained in the following table:

NDPB	*Publish minutes of meetings*	*Publish agenda's etc.*	*Publish register of interests*[1]	*Statutory requirements*
Advisory Committee for the Public Lending Right	[3]No	No	No	No
Advisory Committee on Historic Wreck Sites	[5]No	No	No	No
Advisory Committee on the Government Art Collection	No	No	No	No
Advisory Council on Libraries	No	No	No	No
Reviewing Committee on the Export of Works of Art	[4]No	No	No	No
Royal Fine Art Commission	No	No	No	No
Theatres Trust	No	No	[2]Yes	No
Treasure Valuation Committee	No	No	No	No
Football Taskforce	No	No	[6]No	No

[1] All NDPBs either have, or shortly will have a register of interests in place. This is in line with the commitment given in "Quangos: Opening the Doors".

[2] Members interests published in the Theatres Trust annual report.

[3] Reports on the work of the PLR advisory committee appear in the Registrar's annual review.

[4] The Committee publishes an Annual Report, which contains a summary of cases heard.

[5] The ACHWS publishes an annual report which gives an account of the work of the Committee in the previous year.

[6] The Football Taskforce register is available for inspection.

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport which of the executive non-departmental public bodies sponsored by his Department publish *(a)* the minutes of meetings, *(b)* the agendas of meetings and documents for those meetings and *(c)* a register of members' interests; and if in each case this is under a statutory requirement. [69952]

Mr. Chris Smith: My Department fully supports the proposals in "Quangos: Opening the Doors" and is determined that the public bodies that it sponsors comply with its recommendations for greater openness at the earliest opportunity. The information requested about current practice is contained in the following table:

NDPB	*Publish minutes of meetings*	*Publish agenda's etc.*	*Publish register of interests*[1]	*Statutory requirements*
Arts Council of England	[2]No	No	Yes	No
British Library	No	No	No	No
British Museum	No	No	[3]No	No
British Film Institute	Yes	Yes	Yes	No
British Tourist Authority	No	No	Yes	No
Broadcasting Standards Commission	[4]No	No	[5]No	No
Crafts Council	Yes	Yes	Yes	No
English Heritage	No	No	Yes	No
English Sports Council	No	No	Yes	No
English Tourist Board	No	No	Yes	No
Football Licensing Authority	No	No	[6]No	No
Geffrye Museum	No	No	Yes	No
Historic Royal Palaces	No	No	Yes	No
Horniman Museum	No	No	Yes	No
Imperial War Museum	No	No	[7]No	No
Library and Information Commission	No	No	No	No
Millennium Commission	No	No	[8]No	No
NFTS	No	No	[9]No	No
National Lottery Charity Board	No	No	[10]Yes	[10]Yes
New Millennium Experience Co. Ltd.	[11]No	No	Yes	[12]Yes
Museum of London	No	[13]No	Yes	No
Museums and Galleries Commission	No	No	Yes	No
National Gallery	No	No	Yes	No
National Heritage Memorial Fund	Yes	No	Yes	No
National Museum of Science and Industry in Manchester	No	No	[14]No	No
National Museums and Galleries on Merseyside	No	No	[15]No	No
National Maritime Museum	No	No	[16]No	No
National Museum of Science and Industry	Yes	Yes	[17]No	No
National Portrait Gallery	[18]Yes	No	Yes	No
Natural History Museum	[19]No	[19]No	[20]No	No
NESTA[21]	No	No	No	No
NOF	Yes	No	[10]Yes	[10]Yes
Public Lending Right	Yes	No	n/a	No
Royal Armouries	No	No	Yes	No

NDPB	*Publish minutes of meetings*	*Publish agenda's etc.*	*Publish register of interests*	*Statutory requirements*
Royal Commission on Historical Manuscripts	No	No	No	No
Royal Commission on Historical Monuments (England)	No	No	Yes	No
Sir John Soane's Museum	No	Yes	[22]No	No
Tate Gallery	No	No	Yes	No
UK Sports Council	No	No	[23]No	No
Victoria and Albert Museum	No	No	[24]No	No
Wallace Collection	No	No	Yes	No

All executive NDPBs are expected to have a register of interests. The majority of DCMS executive do have one, or are in the process of establishing one. The majority are available for inspection by the public but are not necessarily published.

A summary report is produced, excluding commercially sensitive information. This is distributed to ACE staff, national and local newspapers, regional arts boards and advisory panels.

The British Museum has a register but this is not published.

Minutes of meetings are not published as a matter of course; however, the Commission does publish its findings on complaints and all its research reports.

The BSC does maintain, for internal reference only, a register of Members' interests.

The Football Taskforce has a register but this is not published.

The IWM register of interests is not published but its availability is publicised.

The Millennium Commission does maintain, for internal reference only, a register of Members' interests.

A register of NFTS Directors is available from Companies House.

A register of interests is required by the National Lottery Act 1998.

NMEC is required by Companies Acts legislation to allow the inspection of the minutes of meetings.

As a public sector company NMEC is required to follow the requirements in the Companies Acts.

The Museum of London does publish some documents arising from meetings.

The Museum of Science and Industry in Manchester does have a register of interests but does not publish it.

The National Museums and Galleries on Merseyside register of interests is not published but is available for inspection on request.

The National Maritime Museum register of interests is not published but its existence and availability is made known in the NMM annual accounts.

The NMSI register of interests is available by application to the Committee Manager.

Minutes of meetings are published on the National Portrait Gallery website.

The agendas, minutes and documents for the Natural History Museum are available to be inspected by appointment in the Museum library.

The Natural History Museum register of interests is available on request.

NESTA is a new body established by the 1998 National Lottery Act. It is still finalising its operating procedures and processes.

The Sir John Soane's Museum register of interests is not published but is available for inspection on request.

The UKSC maintains a register of members' interests but does not publish it.

Interests are recorded in the V&A annual accounts.

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport which of the executive non-departmental public bodies sponsored by his Department *(a)* admit members of the public to all board or committee meetings, *(b)* hold public meetings, *(c)* have lay or consumer representatives on their boards and *(d)* operate some form of appeal or complaints procedure; and if in each case this is under a statutory requirement. [69975]

Mr. Chris Smith: *[pursuant to his reply, 15 February 1999, c. 468–70]:* Due to an error, the footnotes in my previous Answer were incomplete. The following table gives the information required:

NDPD	*Admit the public to all meetings*	*Hold public meetings*	*Have lay or consumer board members*[16]	*Operate a form of appeal or complaints procedure*	*Statutory requirements*
Arts Council of England	No	Yes	No	Yes	No
British Library	No	No	Yes	Yes	No
British Museum	No	No	Yes	Yes	No
British Film Institute	No	Yes	Yes	Yes	No
British Tourist Authority	No	No	No	Yes	No
Broadcasting Standards Commission	No	Yes	Yes	Yes	No
Crafts Council	No	Yes	No	Yes	No
English Heritage	No	No	Yes	Yes	No
English Sports Council	No	Yes	No	Yes	No
English Tourist Board	No	Yes	No	Yes	No
Football Licensing Authority	No	No	No	Yes	No
Geffrye Museum	No	No	Yes	No	No
Historic Royal Palaces	No	No	Yes	Yes	No
Horniman Museum	No	Yes	No	Yes	No
Imperial War Museum	No	Yes	Yes	Yes	No
Library and Information Commission	No	No	Yes	Yes	No
Millennium Commission	No	No	No	Yes	No
National Film & Television School	No	No	No	[14]No	No
National Lottery Charity Board	No	Yes	Yes	Yes	No
New Millennium Experience Co Ltd	No	Yes	No	Yes	[20]Yes
Museum of London	No	No	Yes	Yes	No
Museum of Science and Industry in Manchester	No	Yes	Yes	Yes	No

NDPD	*Admit the public to all meetings*	*Hold public meetings*	*Have lay or consumer board members*[16]	*Operate a form of appeal or complaints procedure*	*Statutory requirements*
Museums and Galleries Commission	No	No	Yes	Yes	No
National Gallery	No	Yes	Yes	Yes	No
National Heritage Memorial Fund	No	Yes	No	[15]Yes	No
National Maritime Museum	No	No	No	Yes	No
National Museums and Galleries on Merseyside	No	[3]No	No	Yes	No
National Museum of Science and Industry	No	Yes	Yes	Yes	No
National Portrait Gallery	No	No	[4]No	Yes	No
Natural History Museum	No	No	No	Yes	No
NESTA	No	No	No	No	No
NOF	No	Yes	No	Yes	No
Public Lending Right	No	No	No	No	No
Royal Armouries	No	No	Yes	Yes	No
Royal Commission on Historical Manuscripts	No	No	No	Yes	No
Royal Commission on Historical Monuments (England)	No	No	Yes	Yes	No
Sir John Soane's Museum	No	No	Yes	Yes	No
Tate Gallery	No	No	Yes	Yes	No
UK Sports Council	No	No	No	No	No
Victoria and Albert Museum	No	No	No	Yes	No
Wallace Collection	No	Yes	Yes	Yes	No

Notes:

[1] The British Museum say that all their Board Members are visitors and users. Those Trustees that sit on the External Relations and Public Services Committee have particular responsibility for consumer interests including disability issues.

[2] The Imperial War Museum say that none of its Board is a museum professional: all are "lay" and may ask questions as consumers.

[3] The NMGM have agreed in principle to hold one open meeting a year beginning in 1999

[4] The National Portrait Gallery do not allow non-Trustees to attend Board meetings

[5] English Heritage advise that one commissioner has been a recipient of a grant and can be described as a "consumer". As not all Commissioner are experts in the fields they represent they can be described as lay members

[6] The Museum of London say that its Board is made up of people from a wide number of backgrounds who include people with lay or consumer representations.

[7] The National Museum of Science and Industry say that the Board is composed of individuals appointed by Government selected from those with interests and expertise which will assist and advise the Museum both with regard to visitors and care of the collections. These unpaid individuals provide a wide range of scientific, visitor, management and educational experience

[8] The English Tourist Board holds three public meetings with Regional Tourist Boards annually which are also open to the industry and public

[9] Members of the public who are complainants on fairness in broadcasting are invited to attend Commission hearings in which their complaint is being considered. However, meetings of Commission members are not usually open to the general public. The Commission does hold public meetings throughout the country in the form of consultation groups.

[10] Members of the BSC are appointed on merit and we aim to ensure that its membership has a wide representation of skills to enable the Commission to fulfil its remit.

[11] As part of its remit, the Commission deals with complaints from the public on fairness and standards in broadcasting. There is no formal appeals system against its decisions.

[12] The BSC was created by the Broadcasting Act 1996, which lays down some general rules about the Commission's membership and function.

[13] The NFTS sees its public as its students and tutors whom are allowed to attend all board meetings if they so wish.

[14] The NFTS complaints procedure is for use by its student and tutor representatives.

[15] The NHMF operate a Review and Complaints Committee for applicants to the Heritage Lottery Fund who are unhappy with the way their application has been handled.

[16] All DCMS appointments are made in accordance with guidance from the Commissioner for Public Appointments. A field of candidates is identified in every case against an agreed role specification, and an element of independent scrutiny is always included in the process.

[17] As part of the NMEC Section 106 Planning Agreement with the London Borough of Greenwich, the NMEC are obliged to hold a public meeting for local residents. Two meetings have so far taken place.

[18] NMEC has formed a number of advisory committees which are comprised of lay/consumer people.

[19] Staff from the Millennium Commission hold meetings with the public.

[20] As a public sector company NMEC is required to follow the requirements in the Companies Acts.

Public Consultations

Dr. Lynne Jones: To ask the Secretary of State for Culture, Media and Sport if he will publish his Department's collation and assessment of responses to all the Government's public consultations. [69772]

Mr. Chris Smith: When the DCMS issues a public consultation paper it will, in line with central guidance issued by the Cabinet Office, either publish a summary of the views collected or make the results available on request (in each case subject to respecting confidentiality requested by those responding).

Concessionary Television Licence Fees

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport if he will assess the benefits of providing television licences free of charge for *(a)* pensioners and *(b)* disabled people; and if he will make a statement. [70989]

Janet Anderson: The current review of the future of the BBC licence fee after 2002 will include a consideration of the structure of the existing concessionary television licence scheme and whether a suitable alternative structure could be available. The independent review panel will report to my right hon. Friend the Secretary of State by the end of July this year. There will then be a period of public consultation on the panel's recommendations. It would not be right for the Government to preempt the outcome of the review.

Theme Parks

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what grants are available for the creation of rides at theme parks in the North West from the English Tourist Board. [71490]

Janet Anderson: There are no grants available from the English Tourist Board (ETB) for this purpose.

The North West, like all parts of the country, benefits from the work of the British Tourist Authority and of the ETB. A significant part of the grant to the ETB is passed on to the ten regional tourist boards for local programmes and marketing.

New support structures announced on 14 December, as part of the results of the DCMS Departmental Spending Review, will ensure that in future more effective use is made of public spending on tourism in England, with a greater proportion going to the regions.

World Cup Bids (2006)

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what steps he has taken to establish that the bidding process for the 2006 World Cup will be free from bribery. [68459]

Mr. Banks *[holding answer 1 February 1999]:* The Government expect bids to bring international events to this country to be pursued with openness and integrity. I take a close interest in ensuring this is so, and following controversy about Olympic bids have received assurances from the Football Association that the bid for the 2006 World Cup naturally will comply fully with the published guidelines, and will certainly be free from recourse to bribery. I accept those assurances and will continue vigorously to assist with the FA campaign for the 2006 bid, whose strength and viability rest on its quality against bidding criteria.

Departmental Expenditure

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70976]

Mr. Chris Smith *[holding answer 15 February 1999]:* My Department's main web site (www.culture.gov.uk) costs £2,000 per annum to run and did not incur any set up costs. The web site has on average 130,000 'hits' per month and contains information about the work of the Department, contact details for Ministers and public inquires, and a range of publications, consultation papers, and links to sponsored bodies.

The National Lottery Awards web site cost £42,000 to set up and has, on average 5,000 'hits' per month.

The Royal Parks Agency have a web site hosted by the CCTA and from January this year costs £500 per annum to run. The web site contains information on each of the Royal Parks. There is no information on the number of 'hits' for this site.

We do not hold information on our non-departmental public bodies web sites and this could be provided only at disproportionate cost.

Television Subtitles

Mrs. May: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 11 January 1999, *Official Report*, column *31*, what specific policies his Department intends to bring forward to improve the level of subtitling on cable and satellite television following the meetings his officials have held with broadcasters and subtitle providers. [69645]

Janet Anderson *[holding answer 15 February 1999]:* My officials have had a useful series of meetings with the cable and satellite broadcasters, those representing viewers with sensory disabilities and subtitling providers. I met the RNID on 20 January. We are now considering in the light of the information from those meetings how we can encourage the cable and satellite broadcasters to improve on a voluntary basis the current provision of subtitling on their services.

Mrs. May: To ask the Secretary of State for Culture, Media and Sport what estimates his Department has made of how long it will be before digital set top boxes are able to support subtitling. [69644]

Janet Anderson *[holding answer 15 February 1999]:* I understand from the Independent Television Commission that all services within the six digital terrestrial multiplexes are providing subtitles with the exception of a small number of ITV companies within the Channel 3/4 multiplex who expect to commence very shortly.

Mrs. May: To ask the Secretary of State for Culture, Media and Sport if his Department intends to make recommendations to the ITC about how its annual targets for subtitling for deaf and hard of hearing people should be calculated, with particular reference to digital television. [69643]

Janet Anderson *[holding answer 15 February 1999]:* The Broadcasting Act 1996 requires the Independent Television Commission (ITC) to draw up a code on promoting the understanding and enjoyment of programmes by persons who are deaf and hard of hearing. The code must include specified minimum targets which are laid down in the 1996 Act, which also gives the Commission the power to set interim targets. Under the provisions of the Act, it is solely a matter for the ITC to draw up the code. The Act places a statutory duty on the Commission to consult those bodies or persons who represent the interests of people with sensory disabilities, before drawing up their code.

Mrs. May: To ask the Secretary of State for Culture, Media and Sport what estimates his Department has made of the proportion of subtitled programmes for deaf and hard of hearing viewers *(a)* at present and *(b)* in five years time for (i) digital terrestrial, (ii) satellite, digital and analogue and (iii) cable television. [69642]

Janet Anderson *[holding answer 15 February 1999]:* For digital terrestrial services, the Broadcasting Act 1996 requires that by the tenth anniversary of the introduction of any digital terrestrial television programme service, not less than 50 per cent. of non-excluded programme hours broadcast in any service should be subtitled. The Act gives the Independent Television Commission the power to set interim targets and the Commission has set an interim requirement of 5 per cent. for the first year and 25 per cent. for the fifth year and no programmes are to be excluded. Existing broadcasters obligations on subtitling under the Broadcasting Act 1990 will of course apply to their simulcast digital services. The Commission will monitor broadcasters' progress towards meeting those requirements.

There are no similar statutory requirements on cable and satellite broadcasters to provide subtitling on their analogue or digital services. My officials have asked cable and satellite broadcasters their plans for provision of subtitling on their digital services and those who responded have indicated a willingness to transmit the subtitling commissioned for digital terrestrial television on other delivery platforms.

After-school Sports Clubs

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the amount of money which the New Opportunities Fund will spend on after-school sports clubs. [70650]

Mr. Banks *[holding answer 15 February 1999]:* As my right hon. Friend the Secretary of State for Culture, Media and Sport said in his reply to the hon. Member for East Surrey (Mr. Ainsworth) on 16 November 1998, *Official Report,* column *350,* no specific amount has been earmarked for providing children with sporting opportunities at after-school clubs, but activities offered may include sporting and outdoor learning activities, and structured, learning-oriented play. The amount allocated for these activities will be determined by the New Opportunities Fund in response to the applications received.

The New Opportunities Fund will commit £400 million to out of school hours activities during the current licence period to September 2001. Of this, £180 million will be committed to education activities, £200 million to child care, and £20 million to projects combining child care and education.

Out of school hours education projects should involve at least half of all secondary schools, at least a quarter of all primary schools, and at least half of all special schools by 2001. Out of school child care projects should provide places for 865,000 children by 2003.

The Prime Minister also announced an extra £400 million for the New Opportunities Fund between now and 2001. We have consulted on how this money should be spent and have proposed that part of the additional amount should be committed to an expansion of the existing out of school hours initiative, to enhance the contribution made by summer schools not only to literacy, numeracy and opportunities for arts, but also to sport.

Mr. Jim Cunningham: To ask the Secretary of State for Culture, Media and Sport what steps the Government will take to encourage physical exercise as part of its new after-school care programme. [70295]

Mr. Banks: Through the New Opportunities Fund (NOF) we have committed £400 million of National Lottery money to out of school hours activities during the current licence period to September 2001. Of this, £180 million has been committed to education activities, £200 million to child care, and £20 million to projects combining child care and education. Out of school hours education projects should involve at least half of all secondary schools, at least a quarter of all primary schools, and at least half of all special schools by 2001. Out of school child care projects should provide places for 865,000 children by 2003.

My right hon. Friend the Prime Minister has also announced an extra £400 million for the New Opportunities Fund between now and 2001. We have consulted on how this money should be spent and have proposed that part of the additional amount should be committed to an expansion of the existing out of school hours initiative, to enhance the contribution made by summer schools not only to literacy, numeracy and opportunities for arts, but also to sport.

The Policy Directions issued to NOF ensure that it takes into account relevant national and local strategies in relation to each initiative. For out of school hours learning this includes Extending Opportunity: a national framework for study support (In England) and any similar guidance produced elsewhere. Study support is learning activity outside normal lessons and embraces many activities, including sports, games and adventurous outdoor activities.

The National Lottery Act 1998 required NOF to draw up a strategic plan containing its assessment of needs and its priorities in dealing with them, on which it must consult the Secretary of State for Culture, Media and Sport. This ensures that there is a proper strategy for distributing Lottery proceeds. No specific targets have been allocated to NOF for providing physical exercise opportunities at after-school clubs, but in reviewing NOF's strategic plan we shall ensure that the projects it supports promote young people's well-being through a range of activities, including sport and creative activities.

Staff Travel

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if he will list the mileage rates currently applicable to staff, indicating what changes have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [70955]

Mr. Chris Smith *[holding answer 15 February 1999]:* The mileage rates currently applicable to staff within the Department for Culture, Media and Sport and The Royal Parks Agency are:

Pence per mile

	Per mile	*Up to 1500cc*	*1501-2000cc*	*Over 2000cc*
Car—Standard rate				
Up to 4,000 miles	—	34	43	47
Over 4,000 miles	—	19	23	31
Public transport rate	23	—	—	—
Passenger supplement				
First passenger	2	—	—	—
Others	1	—	—	—
Equipment supplement	3	—	—	—

Pence per mile

	Per mile	*Up to 125cc*	*Over 125cc*
Motor cycles—up to 4,000 miles			
Third party insurance	—	14.6	22.1
Comprehensive insurance	—	16.2	25.3
Over 4,000 miles	—	6.1	9.0
Bicycles			
Mileage allowance	6	—	—

DCMS and RPA offer season ticket loans for public transport and loans to assist in the purchase of bicycles. My Department is aiming to meet the Government targets on green transport by March 1999. It will seek to identify practical measures aimed at promoting greener travel including reviewing car mileage rates.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for Culture, Media and Sport what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70469]

Mr. Chris Smith *[holding answer 15 February 1999]:* I have not relocated staff and have no plans to do so. However, I will be establishing a new post for my Department in each of the Government Offices in the English regions in the next financial year. I am also encouraging the decentralisation of work to all the English regions from a number of the national bodies sponsored by my Department and located in England.

Mr. Chaytor: To ask the Secretary of State for Culture, Media and Sport if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70483]

Mr. Chris Smith *[holding answer 15 February 1999]:* I refer my hon. Friend to "Civil Service Statistics 1998" which is placed in the Libraries of the House. This includes regional information. Staff at the Royal Parks Agency are all based in the London area.

English Tourist Board

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what plans he has to change the name of the English Tourist Board. [71729]

Janet Anderson: On 14 December 1998 we announced in "A New Cultural Framework" that we would establish a new streamlined, more strategic body to support tourism in England. An implementation Team is looking at all aspects of the body, including its role, detailed remit and name.

AGRICULTURE, FISHERIES AND FOOD

Genetically Modified Crops

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what advice he has received about genetically modified crops from the Advisory Committee on Novel Foods and Processes; and if he will make a statement. [68629]

Mr. Nick Brown *[holding answer 1 February 1999]:* All advice received from the Advisory Committee on Novel Foods and Processes is published in their Annual Reports. Copies of these have been placed in the Library of the House.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what discussions he has held with English Nature about genetically modified crops. [68066]

Mr. Nick Brown: On 16 November my hon. Friend the Minister of State met the Chairman of English Nature to discuss genetically modified crops. In addition my officials and those of English Nature have attended recent meetings at which this subject has been discussed.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the circumstances in which food and food ingredients containing, or produced using, genetically modified organisms or micro-organisms must be labelled. [69875]

Mr. Nick Brown *[holding answer 8 February 1999]:* Provision for labelling novel foods is described in article 8 of Regulation 258/97. This requires that the consumer is informed of any characteristic or property of the food, such as composition, nutritional value or intended food use, which renders a novel food or food ingredient no longer equivalent to an existing food or food ingredient. In addition, the food must be labelled if it could have health implications for certain population sectors, contains ingredients that raise ethical concerns or contains a genetically modified organism.

Finally, Regulation 1139/98 on labelling genetically modified (GM) soya and maize sets a precedent for the labelling of all food ingredients containing or produced from genetically modified organisms where they contain GM material (protein or DNA).

Genetically Modified Food

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will publish the information held by his Department on consumers' attitudes towards genetically modified food. [68089]

Mr. Nick Brown: My Department encourages all its research contributors to publish details of their work in peer reviewed scientific journals.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what information held by his Department about consumers' attitudes towards genetically modified food was released to *(a)* Monsanto, *(b)* Novartis and *(c)* other companies wishing to introduce genetic modification into Britain. [68090]

Mr. Nick Brown: Research sponsored by my Department on consumer attitudes towards biotechnology is available for public viewing in the library of the Ministry of Agriculture, Fisheries and Food. Its availability, as with other research projects, is announced in the Food Safety Information Bulletin.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what discussions he has held with retailers about consumers' attitudes towards genetically modified food; [68088]

(2) what discussions he has held with retailers about consumers' attitudes towards genetically modified food. [68062]

Mr. Nick Brown: Ministerial colleagues and I have held meetings with retailers on a variety of matters including genetically modified food. In relation to genetically modified food we have stressed the importance we attach to safety and labelling.

Genetically Modified Organisms

Mr. Stinchcombe: To ask the Minister of Agriculture, Fisheries and Food what representations he has received on *(a)* genetically modified organisms and *(b)* the biotechnology industry from the US Administration. [66682]

Mr. Nick Brown: I met US Trade Representative, Ambassador Barshefsky, on 23 October 1998. The Ambassador expressed some concerns about the way genetically modified organisms were being dealt with in the EU. I reassured her that the UK Government was committed to a science-based approach which protected human health and the environment.

Consultation Exercise

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will publish the dates and venues of the meetings which he will be holding or attending which form part of his consultation exercise Towards a New Direction for UK Agriculture. [66904]

Mr. Nick Brown: Following the conference on Agenda 2000 CAP reform on 11 January, further consultation meetings are being arranged by MAFF Regional Service Centres. Details of these are being suitably publicised at local level.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food on what date or dates the decision was taken to launch the consultation exercise, Towards a New Direction for UK Agriculture. [66908]

Mr. Nick Brown: I refer the hon. Member to my statement to the House on 16 November 1998, *Official Report*, columns 624–26, announcing a package of aid measures for livestock farmers. In the course of that statement I mentioned that the Government would be undertaking—in consultation with all interested parties—a thorough review of the rural economy and consulting widely on a range of issues over the coming months.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food how many responses his Department has received as part of the consultation exercise Towards a New Direction for UK Agriculture; and if he will publish them. [66905]

Mr. Nick Brown: Details of numbers of forms received in response to the consultation exercise will be published in due course, along with an analysis of their content. Unless the authors object, copies of letters (though not individual forms) will be placed in the Library of the House.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food how much the consultation exercise Towards a New Direction for UK Agriculture cost *(a)* to produce and *(b)* in postage. [66909]

Mr. Nick Brown: The costs for the consultation exercise "Towards a New Direction for UK Agriculture" were as follows:

(a) to produce—£41,000

(b) postage—£37,000.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what mechanisms have been devised *(a)* to collate and *(b)* to utilise the responses to the consultation exercise Towards a New Direction for UK Agriculture ahead of the deadline for the conclusion of Agenda 2000 negotiations. [66907]

Mr. Nick Brown: The exercise of handling the responses to the consultation exercise has begun and appropriate mechanisms for data input are being put in place. Regional meetings are being arranged in the next few weeks to highlight the issues at stake and further encourage informed comment. Responses received will be utilised to help ensure that informed decisions are made about future agricultural policy so as to take full account of UK farming interests, along with those of consumers and the environment.

Foodstuffs

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list those cases in which a Member State has sought to invoke Article 12 of Regulation (EC) No. 258/97 (restricting or suspending trade in and use of food or food ingredients) in addition to an examination by the European Commission within the Standing Committee on Foodstuffs under that Article. [69870]

Mr. Nick Brown *[holding answer 8 February 1999]*: Article 12 has yet to be invoked by any member state.

Novel Foods

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the requests submitted to him and to other Member States in connection with the placing on the market of genetically modified novel foods or novel food ingredients, pursuant to Article 4(1) of Regulation (EC) No. 258/97, by *(a)* company, *(b)* product, *(c)* modified trait, *(d)* the Member State to which the submission was made and *(e)* its date. [69877]

Mr. Nick Brown *[holding answer 8 February 1999]:* Details of applications under the EC Novel Foods Regulation (258/97) are as follows:

Applications under Regulation (EC) No. 258/97 of the European Parliament and of the Council

Applicant	*Description of food or ingredient*	*Initial assessment carried out by*	*Application date*	*Initial assessment*
1. Katholieke Universiteit Leuven Laboratory of Plant Physiology B-3001 Heverlee	*Stevia rebaudiana* (plant and dried leaves)	Hoge Gezonheidsraad RAC—Esplanadegebouw 7e verdieping Pachecolaan 19 bus 5 B-1010 Brussels	7 November 1997	6 February 1998; answers to additional questions on 23 January 1998 24 April 1998; Initial assessment report 13 July 1998 Translation into English Forwarded to Member States on 18 August 1998 Additional assessment SCF plenary 9 December 1998
2. Belovo scrl Zone industrielle, 1 B-6600 Bastogne	Phospholipids from egg yolk	Hoge Gezonheidsraad RAC—Esplanadegebouw 7e verdieping Pachecolaan 19 bus 5 B-1010 Brussels	9 February 1998	9 June 1998 Initial assessment report forwarded to Member States on 29 September 1998 Further information by Belgium on 29 October 1998 at the CPDA Deadline for comments/reasons objections 28 December
3. Zeneca Jealott's Hill Research Station Jealott's Hill, Bracknell, UK. Berkshire RG42 6ET	Genetically Modified Processing Tomatoes	UK Advisory Committee on Novel Foods and Processes	3 March 1998	2 June 1998 Initial assessment report arrived 8 June 1998. Transmission to Member States. June 1998. Comments and reasoned objections made by Member States forwarded to Member States on 22 October 1998. Additional assessment SCF plenary 9 December 1998.
4. Bejo-Zaden PO Box 50, NL-1749 Warmenhuizen	Transgenic *Radicchio rosso* with male sterility	The Provisional Committee for the safety evaluation of novel foods (VeVnv)	—	Initial assessment forwarded to Member States on 27 October 1998
5. Bejo-Zaden PO Box 50, NL-1749, Warmenhuizen	Transgenic green hearted Chicory with male sterility	The Provisional Committee for the safety evaluation of novel foods (VeVnv)	8 April 1998	7 July 1998 Initial assessment forwarded to Member States on 27 October 1998
6. Unilever Research & Engineering Division, Unilever UK, Central Resources Ltd., Unilever House, Blackfriars, UK, London EC4P 4BQ	Yellow fat spreads with added phytosterol-esters	The Provisional Committee for the safety evaluation of novel foods (VeVnv)	28 May 1998	15 September 1998 Initial assessment forwarded to Member States on 8 January 1999
7. E. I. DuPont Nemours & Co. Agricultural Enterprise Optimum Quality Grains L. L. C. Registration and Regulatory Affairs Europe, Ebertstr. 4, D-07743 Jena	High Oleic Soybean Sublines derived from transformation event 260-05	The Provisional Committee for the safety evaluation of novel foods (VeVnv)	25 July 1998	15 November 1998
8. Biomin Pharma GmbH Provinostr. 15, D-86153 Augsburg	Vit-Enzym	Bundesinstitut fur gesundheitlichen Verbraucherschutz und Veterin&#228;rmedizin	23 June 1998	23 September 1998 suspended
9. Monsanto Services International S. A. Ave. de Tervuren 270-272, B-1150 Bruxelles	Roundup Ready Maize line GA21	The Provisional Committee for the safety evaluation of novel foods (VeVnv)	24 July 1998	5 November 1998

Applications under Regulation (EC) No. 258/97 of the European Parliament and of the Council

Applicant	*Description of food or ingredient*	*Initial assessment carried out by*	*Application date*	*Initial assessment*
10. Groupe Danone 7, rue de Téhéran, F-75381 Paris, cedex 08	Use as human food of fruit preparations pasteurised using a high pressure treatment process	1) Conseil supérieur d'hygiène publique de France 2) Commission de technologie alimentaire	3 December 1998	3 March 1999
11. M Yvan Jobert La Meillade n 65, F-34150, Montpeyroux	Noix de nangailles	Conseil supérieur d'hygiène publique de France	9 December 1998	9 March 1999

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the names, interests and positions of the members of the Standing Committee on Foodstuffs which has functions under Regulation (EC) No. 258/97 concerning novel foods and novel food ingredients. [69868]

Mr. Nick Brown *[holding answer 8 February 1999]:* The Standing Committee on Foodstuffs is composed of officials from member states. Its composition varies from meeting to meeting.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food which of the initial assessments in connection with the placing on the market of genetically modified novel foods or novel food ingredients, pursuant to Article 4 of Regulation (EC) No. 258/97, required an additional assessment, pursuant to Article 6.3. [69873]

Mr. Nick Brown *[holding answer 8 February 1999]:* The application under the Novel Foods Regulation for GM tomato products, for which the UK's Advisory Committee on Novel Foods and Processes provided the initial assessment in June 1998, required an additional assessment. In addition, the application for *Stevia rebaudiana*, for which the Belgium competent authority (Hoge Gezonheidsraad RAC) provided the initial assessment, required a further assessment, but was ultimately rejected by all member states. All other applications are still under consideration.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what rules have been adopted for the protection of the information referred to in Article 10 of Regulation (EC) No. 258/97; and if he will place a copy of those rules in the Library. [69885]

Mr. Nick Brown *[holding answer 8 February 1999]:* The European Commission have yet to act on this matter. The Government will continue to pursue this with the European Commission.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the measures adopted by the European Commission under Article 13 of Regulation (EC) No. 258/97 concerning novel foods and novel food ingredients; and if he will place a copy of those measures in the Library. [69869]

Mr. Nick Brown *[holding answer 8 February 1999]:* The European Commission has yet to adopt measures under Article 13.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list for each of the additional assessments in connection with the placing on the market of genetically modified novel foods or novel food ingredients, pursuant to Article 7 of Regulation (EC) No. 258/97, the authorisation decision, by (i) company, (ii) product, (iii) modified trait, (iv) the relevant member state, (v) date and (vi) the scope of the authorisation. [69872]

Mr. Nick Brown *[holding answer 8 February 1999]:* An additional assessment will be required for Zeneca GM tomato products which have been modified to delay ripening. The original assessment was carried out by the UK.

BSE

Mr. Ivan Lewis: To ask the Minister of Agriculture, Fisheries and Food if he expects the BSE Inquiry to be completed by 30 June. [[illegible]2143]

Mr. Nick Brown: The Committee of Inquiry has indicated that it needs an extension of time beyond 30 June 1999 in order to enable it to complete its work. Discussions are under way on the additional period that will be required to allow the Inquiry to do this. A further announcement will be made as soon as possible.

EDUCATION AND EMPLOYMENT

Nurses (Work Permits)

Dr. Cable: To ask the Secretary of State for Education and Employment how many applications from hospital trusts for work permits for nurses have been *(a)* refused and *(b)* reduced in duration by his Department in each of the last five years. [68581]

Ms Hodge: The specific information requested is not available as work permit records do not identify the type of employer. The numbers of work permit applications for nurses which were refused in each of the last five years are as follows:

Year	*Number*
1994	171
1995	151
1996	182
1997	93
1998	144

These figures show each application refused, not each person. They therefore include a number of nurses for whom several applications were made, including applications for renewals and transfers to another employer.

Work permit records show the period approved, not the period requested. It is therefore not possible to give the numbers of permit applications which were approved for a shorter period than requested. The period requested would only be reduced where the business reasons given in the application did not justify the longer period.

Astra Pension Scheme

Mr. Todd: To ask the Secretary of State for Education and Employment what steps he is taking to compensate future pensioners of the Astra pension scheme for their loss of benefits. [70757]

Mr. Mudie: The Department continues to press the Astra liquidators and the pension fund trustees to ensure that future pensioners suffer no loss of benefits. Current pensioners are already receiving their full entitlements.

Childline

Mrs. Virginia Bottomley: To ask the Secretary of State for Education and Employment when he last met the Chief Executive or Chairman of Childline to discuss funding. [70708]

Mr. Blunkett: I last met the Chief Executive in February 1998 to launch the Childline in Partnership with Schools (CHIPS) project but have not had a meeting specifically to discuss funding.

Departmental Expenditure

Mr. Blunt: To ask the Secretary of State for Education and Employment how much his Department spent on promotional literature between *(a)* 1 May 1997 and 1 January 1999 and *(b)* 1 May 1995 and 1 January 1997. [70443]

Mr. Mudie *[holding answer 15 February 1999]:* Within the Department's Advertising and Publicity Budget the total spend on publications was:

(a) £1.96 million between 1 May 1997 and 1 January 1999

(b) £3.02 million between 1 May 1995 and 1 January 1997.

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the expenditure incurred by his Department, agencies and non-departmental public bodies on *(a)* the setting up and *(b)* the operation of web sites, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each web site (i) the topics covered, (ii) the current average number of hits per month and (iii) the estimated expenditure on each web site for each of the next three years. [70974]

Mr. Mudie *[holding answer 15 February 1999]:* The costs of setting up and operating the Department's website since it began in 1995 have not been held centrally and figures could be obtained only at disproportionate cost. The website provides information and advice to parents, teachers, schools, employers and jobseekers about the Department's policies and responsibilities. It receives approximately 950,000 hits per month.

The cost of developing and running the website for the next three years is estimated to be in the region of £100,000 per year plus staff costs, which are not possible to separate out for work associated with the website.

The Employment Service has a separate website which provides more detailed information for employers and jobseekers and about ES services. It receives approximately 7,500 hits per month. In 1998–99 it cost approximately £15,000 to run the website. This will rise to £23,600 next year to enable important enhancements and thereafter costs will fall to about £10,000 per year.

The New Deal website is again separate from the Department's and gives information for employers and potential participants of the New Deal. The site has an average of 12,000 hits per month. The cost to date of the New Deal website is £167,000. Decisions on the future costs and development of the website have not yet been made.

The Teacher Training Agency had two websites until the end of last year. The first aimed at those involved in Teaching and the second aimed at potential teachers. The average number of hits per month for the two sites is 223,340. The cost to date of setting up and operating the websites is £205,000. The cost for ongoing development and maintenance is estimated at £32,000.00.

Skin Cancers

Mr. Kemp: To ask the Secretary of State for Education and Employment what measures have been taken to offer school children and staff guidance on, and protection from, the dangers of excessive exposure to sunlight and its linkage with skin cancers. [70365]

Mr. Charles Clarke: The Department recommends that schools include sun awareness as part of their health and safety policy, and that information is provided to pupils and parents.

The Department has publicised the Health Education Authority's Sun Awareness Campaign in "Spectrum," a publication that is sent to all schools. This includes "Sun Known-How" safety guidelines for schools, which include advice on putting policies in place, practical information and ideas for activities involving pupils.

Didbrook School

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment if he will estimate the increased gross cost of upgrading Didbrook School following the proposed closure of Toddington School; if Gloucestershire County Council has indicated that it is to reconsider its decision to amalgamate the two schools on the basis of cost; and if he will make a statement. [70893]

Ms Estelle Morris: It is for Gloucestershire County Council to estimate the gross cost of these proposals and to submit the relevant financial information to the Department as part of the statement of case. My right hon. Friend the Secretary of State has received no indication from Gloucestershire County Council that it intends to reconsider its decision to amalgamate the schools. I refer the hon. Member to my answer of 26 January 1999, *Official Report,* column 229.

Legal Services

Mr. Ruffley: To ask the Secretary of State for Education and Employment if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since

1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70030]

Mr. Mudie *[holding answer 8 February 1999]:* The information requested is available only at disproportionate cost.

My right hon. and learned Friend the Attorney-General appointed Philip Sales as First Junior Treasury Counsel (Common Law) and Jonathan Crow as First Junior Treasury Counsel (Chancery) to advise and represent the Government in their important civil cases. In addition, the Attorney-General maintains at present two London panels of junior Counsel whom Departments are expected to use for the rest of the Government's civil litigation. The panels currently comprise 103 barristers from 42 different sets of chambers. The Attorney-General will shortly appoint a third panel of very junior barristers. The Attorney-General's individual nomination is required before a barrister who is not on one of the approved panels can be instructed to appear for the Government in litigation.

Departments may use firms of solicitors in addition to the Treasury Solicitor and their departmental legal advisers, for example, where the relevant expertise lies in the private sector. The relationship is subject to the usual confidentiality which operates between lawyer and client.

"Public Relations Toolkit for Employers"

Mr. Chope: To ask the Secretary of State for Education and Employment how many copies of the New Deal "Public Relations Toolkit for Employers" have been produced; and at what cost. [71366]

Mr. Andrew Smith: 30,000 copies of the New Deal "Public Relations Toolkit for Employers" were printed, at a total cost of £41,856.

Carers (Students)

Ms Kelly: To ask the Secretary of State for Education and Employment (1) what support is available for carers who wish to enter further or higher education; and if he will make a statement; [70794]

(2) what is the maximum educational award available to *(a)* a carer in receipt of invalid care allowance, *(b)* a disabled student and *(c)* students released from employment; [70795]

(3) how the fact that invalid care allowance is a taxable benefit affects the assessment of a carer's entitlement to an educational award and its value; [70796]

(4) if carers in receipt of invalid care allowance have to pay tuition fees; [70797]

(5) if carers in receipt of invalid care allowance are entitled to receive a maintenance grant when entering higher education. [70799]

Mr. Mudie: Someone with caring responsibilities who is in full-time higher education is, subject to personal eligibility, entitled to support towards tuition fees and living costs on the same basis as other students. For students entering before 1998–99, 50 per cent. of that support was available as grant and 50 per cent. as student loan, and students were not required to contribute to their tuition fees. From 1998–99 most new entrants are liable for a contribution to their tuition costs, according to their ability to pay. From 1999–2000, the support available to new entrants will be in the form of 100 per cent. loans.

Currently, the first £3,030 of any Invalid Care Allowance is disregarded in assessing the support available. If the person being cared for is financially dependent on the student, the student may also be eligible for a Dependants Allowance of up to £2,025. Additional support may be available through the Access Funds and the Hardship Loans.

The maximum maintenance support available to full-time students in higher education will depend upon the student's personal circumstances. For most students living away from the parental home, the maximum support available through grant and loan is currently £3,545. Disabled students are eligible for additional grants as follows:

(a) in respect of a non-medical personal helper, up to £10,000 annually

(b) in respect of major items of specialist equipment as the authority consider appropriate, up to £3,955 for the duration of the course

(c) in respect of any other expenditure, up to £1,315 annually.

Someone who is a carer wishing to enter further education will be eligible for the range of support available to all students in that sector. This support has been transformed from September 1999 so that it is more evenly distributed across the country and better targeted on those most in need. Provision will be mostly through an expanded access fund administered by colleges, which will provide assistance for such expenditure items as travel, fees, books and equipment. There will be additional support available for child care and for those need to study away from home. Colleges when considering individual applications for access funds will take account of other sources of support, including benefits and allowances. It is up to each college to determine the level of payment appropriate to the individual circumstances of the student concerned. Most students over age 18 will be liable to pay tuition fees, but students no in employment are generally exempt and there is further discretion to assist other groups.

Filipina Nurses

Mr. Malins: To ask the Secretary of State for Education and Employment what consultation the Overseas Labour Service had with the Department of Health over obtaining work permits for Filipina nurses to come to work in the United Kingdom and what efforts he took to satisfy himself that they could not recruit suitable persons within either the United Kingdom or the EEA; what evidence was provided by the Department of Health that the jobs could not be done equally well by someone resident in the EEA; how many work permits have been issued and under which category; and if he will publish the current register of occupations which he considers to be in short supply nationally and likely to be so within the EEA. [70372]

Ms Hodge: The Department's Overseas Labour Service and the Department of Health discuss skill shortages and agree work permit policy on nursing on a regular basis. There has been no specific consultation about work permits for Philippine nurses. The views of the Department of Health are not sought on each work permit application for a nurse. The work permit arrangements require the employer who applies for a work permit to show that they have been unable to employ a suitably qualified applicant from the resident labour market. This requirement is set aside for those occupations where there is a recognised acute shortage.

Recognised shortage occupations for work permits are currently: Actuaries, Chartered Clinical Psychologists, Occupational Therapists, Pharmacists, Veterinary Surgeons and nursing posts in the following specialisms—Intensive Care, Theatre, Paediatric Intensive Care, Mental Health, Neo-natal and Learning Disabilities.

The number of work permits issued for nurses from the Philippines in 1998 was 202. This figure includes initial permits, extensions and transfers to another employer.

Teacher Training

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list for each of the years *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 the total number of applications to (i) primary and (ii) secondary teacher training courses, including PGCE by (1) gender, (2) age and (3) subject. [69901]

Ms Estelle Morris: The following table shows the total number of applications to primary and secondary initial teacher training courses by phase, gender and subject for entry years 1996–97, 1997–98 and 1998–99. Age of applicant is not available.

Applications[1] to initial teacher training courses, by level, gender, phase and subject, in England and Wales, academic year of entry 1996–97 to 1998–99

	Academic year of entry											
	1996–97				1997–98				1998–99			
	Postgraduate		Undergraduate[3]		Postgraduate		Undergraduate[3]		Postgraduate[2]		Undergraduate[3]	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Primary	2,383	10,200	14,221	78,072	2,491	10,726	11,597	66,520	2,303	10,431	9,203	56,212
Secondary												
Mathematics	1,140	733	350	400	921	658	314	275	737	551	227	162
English	937	2,260	247	518	863	2,241	148	288	868	2,273	168	495
Science	1,877	1,821	349	291	1,661	1,604	278	239	1,331	1,547	213	192
Languages	540	2,140	33	151	539	2,022	25	84	520	1,922	19	67
Technology	840	709	982	695	870	735	908	584	811	784	653	540
History	1,114	903	23	52	1,044	857	0	0	949	844	0	0
Geography	662	635	21	20	572	616	13	16	532	532	12	25
Physical Education	711	434	5,037	4,095	828	544	4,374	3,469	819	587	3,858	3,442
Art	227	712	20	50	395	1,108	16	47	381	1,025	21	55
Music	250	344	117	234	251	298	40	38	221	323	52	23
Religious education	375	470	41	101	347	479	17	60	322	515	12	45
Other	384	436	1,339	1,094	297	324	1,226	1,003	199	311	695	739
Total secondary	9,057	11,597	8,559	7,701	8,588	11,486	7,359	6,103	7,690	11,214	5,930	5,785
Overall total	11,440	21,797	22,780	85,773	11,079	22,212	18,956	72,623	9,993	21,645	15,133	61,997

[1] UCAS count up to six applications per applicant, whilst GTTR count one application per applicant

[2] Postgraduate figures exclude applications made directly to the ITT provider

[3] Undergraduate figures exclude applications made at the clearing stage

Source:

Undergraduate applications—Universities and Colleges Admissions Service (UCAS)

Postgraduate applications—Graduate Teacher Training Registry (GTTR)

Local Government Finance (Westminster and Kensington)

Ms Buck: To ask the Secretary of State for Education and Employment if he will list the *(a)* grants and *(b)* other financial support given by his Department to (i) Westminster City Council and (ii) the Royal Borough of Kensington and Chelsea, other than through the RSG settlements, in (1) 1997–98, (2) 1998–99 and (3) planned for 1999–2000; and for what purposes the funds were allocated. [70159]

Mr. Mudie: Details of the grants and other financial support paid by my Department to Westminster City Council and the Royal Borough of Kensington and Chelsea in 1997–98 and 1998–99, and planned for 1999–2000, are set out in the following tables.

Grants to Westminster and Kensington & Chelsea

£000

	1997–98 (actual)		1998–99 (estimated)		1999–2000 (planned)	
Grant	*Westminster*	*Kensington and Chelsea*	*Westminster*	*Kensington and Chelsea*	*Westminster*	*Kensington and Chelsea*
VA Capital Grant[1]	729	92	595	152	375	139
New Deal for Schools Capital	313	244	988	527	[2]—	[2]—
Nursery Education (4 year olds)[3]	1,209	806	486	356	[2]—	[2]—
Standards Fund[4]	796	610	1,698	978	4,290	2,551
Travellers Grant[5]	—	34	—	35	—	48

Grants to Westminster and Kensington & Chelsea

£000

Grant	*1997–98 (actual)* *Westminster*	*1997–98 (actual)* *Kensington and Chelsea*	*1998–99 (estimated)* *Westminster*	*1998–99 (estimated)* *Kensington and Chelsea*	*1999–2000 (planned)* *Westminster*	*1999–2000 (planned)* *Kensington and Chelsea*
TVEI[6]	43	—	n/a	n/a	n/a	n/a
Supported Employment	33	23	33	23	[2]—	[2]—
Child care	n/a	n/a	55	51	[7]172	[7]145

[1] Grant paid to the governors of VA schools maintained by the authority.

[2] To be decided.

[3] Figures for 1997–98 and 1998–99 are not comparable due principally to changes in the handling of funding for private and voluntary providers.

[4] Total programme expenditure; includes LEA contributions. 1998–99 figure also includes two capital grants for Energy Efficiency Initiative and Removal of Outside Toilets. Expenditure for these grants amounted to £45k for Westminster and £27k for Kensington and Chelsea.

[5] Figures relate to total expenditure; grant is paid at the rate of 65 per cent. 1999–2000 figure includes £12.7k for development work.

[6] Funding for TVEI ended in 1997–98.

[7] Amounts allocated but not yet agreed.

Other financial support to Westminster and Kensington & Chelsea

£000

	Other Annual capital guideline	*Credit approvals* *Formula minor works allocation*[1]	*Credit approvals* *Schools access initiative*	*PFI credits*
1997–98 (actual)				
Westminster	608	46	51	—
Kensington and Chelsea	84	18	7	—
1998–99 (estimated)				
Westminster	70	—	35	up to 25,000
Kensington and Chelsea	123	—	35	—
1999–2000 (planned)				
Westminster	183	—	[2]—	—
Kensington and Chelsea	101	—	[2]—	—

[1] Issued as Supplementary Credit Approvals in 1997–98 only.

[2] To be confirmed.

Linux Computer Operating System

Charlotte Atkins: To ask the Secretary of State for Education and Employment what assessment he has made of the Linux computer operating system and its potential for reducing the costs of school computer systems. [70178]

Mr. Charles Clarke *[holding answer 11 February 1999]:* The Government are aware of this system which, with other relevant products available for educational use, is being kept under review by the British Educational Communications and Technology Agency. Their recent publication, "Connecting Schools, Networking People", offered guidance to schools on good practice in the purchasing and deployment of advanced technologies. It will be updated in future to ensure that it remains relevant to schools.

School Playing Fields

Mr. Burns: To ask the Secretary of State for Education and Employment what opportunities are available for objectors to plans to sell school playing fields to make known to him their opposition to a sale prior to a decision being taken. [70360]

Ms Estelle Morris *[holding answer 11 February 1999]:* The Department has recently consulted widely on the criteria against which my right hon. Friend the Secretary of State will consider applications for his consent to sell, or change the use, of school playing fields. Although it is for applicants to decide the details of any local consultation, they should bear in mind that it was local concerns that prompted legislation to protect school playing fields. Draft procedures published on 1 October 1998 set out my right hon. Friend's expectation that applicants should consult locally and inform him of the responses they receive. The Department expects that local consultation should include the direct views of parents of pupils attending the school, as well as any other school which uses the field for school purposes. A minimum consultation period of 8 term-time weeks is recommended to allow sufficient opportunity for objections to be made known.

Mr. Burns: To ask the Secretary of State for Education and Employment if he will make a statement on the procedures that schools have to pursue before selling school playing fields under the regulations governing such sales. [70361]

Ms Estelle Morris *[holding answer 11 February 1999]:* I assume in the light of the hon. Member's previous questions that this question concerns the sale of playing fields by school governing bodies that own their playing fields, as is generally the case for grant-maintained schools, rather than the sale of school playing fields by local authorities.

The governing body of a grant-maintained school must obtain the written consent of my right hon. Friend the Secretary of State before selling any land, including buildings and playing fields. Section 77 of the School Standards and Framework Act, which came into force on 1 October 1998, requires the governing bodies of other maintained schools of obtain the consent of my right hon. Friend before selling, or changing the use of, any school playing field that they own. The procedures to be followed are set out in the Department's consultation document. These include completion of an application form and local consultation.

My right hon. Friend the Secretary of State examines any application to dispose of school playing fields carefully, bearing in mind the provision of playing field space at the school and any shortage of playing fields at other local schools. It is necessary to ensure that following a disposal, there would be sufficient playing field area to meet the requirements of the Education (School Premises) Regulations 1999, and also that there is sufficient land retained to accommodate the possibility of reasonable future expansion of the school.

Where land has transferred to a grant-maintained school from a local authority, my right hon. Friend has power under section 298(2) of the Education Act 1996 to direct that all or part of such land should be returned to the local education authority, or its successor. The return of such land is subject to the payment to the grant-maintained school of whatever consideration, if any, is considered appropriate. Alternatively, my right hon. Friend may direct that some or all of the proceeds of sale should be paid to the local education authority. Each application is considered on its merits.

Engineering Students

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what estimate he has made of the percentage of female engineering graduates with *(a)* first degrees and *(b)* second degrees who gain employment related to their field of study. [70701]

Mr. Mudie: In 1996–97, the total number of women graduating from UK higher education institutions with first degrees in engineering was 2,206. Of those who stayed in the UK after graduation, 34 per cent. went into employment in occupations related to their field of study.

In the same year, 650 women completed post-graduate degrees in engineering. Of those who stayed in the UK after graduation, 39 per cent. went into employment in occupations related to their field of study.

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what resources for access funds will be made available for engineering students in further and higher education in England in 1998–99. [70702]

Mr. Mudie: In the current academic year (1998–99) £9 million was allocated to general Further Education Access Funds and £44 million to general Higher Education Access Funds. We have allocated a further £2.8 million this year for fee remission for further and higher education students on part-time courses who have lost their job since beginning their course. The criteria for issue of funds are general and take no account of course subject.

Literacy

Dan Norris: To ask the Secretary of State for Education and Employment what assessment he has made of the impact on standards of literacy in infant, junior and primary schools of the literacy hour. [71067]

Ms Estelle Morris: The Literacy Hour began in infant, junior and primary schools in September 1998. The vast majority of teachers are teaching the daily hour, which has had a considerable impact on teaching methods and organisation of lessons. Evaluations of the pilot National Literacy Project, published in December 1998 by OFSTED and the NFER, confirm that the Literacy Hour is based on teaching methods that will raise standards. Children who started some way below the national average in their reading scores made 8 to 12 months progress above what would normally be expected, in less than two years.

New Deal (Wansdyke)

Dan Norris: To ask the Secretary of State for Education and Employment how many young unemployed people aged 18 to 25 years within each local enterprise company area in Wansdyke have entered the New Deal Gateway. [71071]

Mr. Andrew Smith: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Dan Norris, dated 12 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your question about New Deal for 18–24 year old participants in Wansdyke. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

I should say straightaway that it is not possible to give data broken down by local Training and Enterprise Council areas as data is collected by Employment Service Unit of Delivery areas.

The latest Government Statistical Service figures to the end of November 1998 and Provisional Management Information to the end of December 1998 shows that, 634 young people have entered the New Deal for 18–24 year olds in the North Somerset, Bath and North East Somerset Unit of Delivery which covers Wansdyke falls under.

I hope this is helpful.

New Deal (Schools)

Dan Norris: To ask the Secretary of State for Education and Employment (1) how many pupils aged five to 16 years are being educated in schools in the *(a)* Bath and North East Somerset and *(b)* South Gloucestershire Council area which have benefited directly from capital building projects under the Government's New Deal for Schools programme; [71074]

(2) how many schools in the *(a)* Bath and North East Somerset and *(b)* South Gloucestershire Council area have benefited directly from capital building projects under the Government's New Deal for Schools programme. [71073]

Ms Estelle Morris: The information requested is shown in the following table:

	Number of Schools which have benefited under New Deal for Schools	Estimated number of pupils aged 5–16 years[1] attending schools which have benefited under the New Deal for Schools
Bath and North East Somerset	85	21,357
South Gloucestershire	12	4,019

[1] The number of compulsory school age children as at January 1998 aged 4 to 15 as at 31 August 1997

New Deal (Translation Services)

Mr. Maclean: To ask the Secretary of State for Education and Employment what has been the cost of providing information and advisory services on the New Deal in (i) Vietnamese, (ii) Chinese and (iii) all languages other than English and Welsh. [71093]

Mr. Andrew Smith: It is impossible to give the cost for providing information in each individual language as most publications produced in languages other than English and Welsh are a compilation of English and seven languages. These are Bengali, Cantonese (Chinese), Gujerati, Hindi, Punjabi, Urdu, and Vietnamese. The cost of producing the publications was £73,395.

The cost of providing advisory services to New Deal clients is not broken down by detailed ethnic group.

New Deal (Advertising Costs)

Mr. Maclean: To ask the Secretary of State for Education and Employment what has been the total cost of advertising and marketing of the New Deal programme to date. [71188]

Mr. Andrew Smith: The cost of advertising and marketing New Deal up to 12 February is £12,872,815.

New Deal

Mr. Green: To ask the Secretary of State for Education and Employment what money was spent on advertising and publicity *(a)* in total and *(b)* on television for the New Deal by 31 December 1998. [70548]

Mr. Andrew Smith *[holding answer 11 February 1999]:* Out of a total of £12,501,848 spent and allocated on New Deal marketing and publicity up to 31 December 1998, a sum of £7,897,713 has been spent on television advertising.

Mr. Green: To ask the Secretary of State for Education and Employment what money he plans to spend on advertising and publicity for the New Deal in 1999. [70549]

Mr. Andrew Smith *[holding answer 11 February 1999]:* Plans have still to be finalised for 1999. £1.75 million is provisionally allocated for marketing, advertising and publicity.

Mr. Green: To ask the Secretary of State for Education and Employment (1) how many New Deal participants who had moved into employment were no longer in employment on 31 January; [70551]

(2) how many New Deal participants who moved into subsidised employment have left that employment within nine months; [70556]

(3) how many New Deal participants who moved into subsidised employment have left that employment within six months. [70557]

Mr. Andrew Smith *[holding answer 11 February 1999]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Damian Green, dated 16 February 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your questions on the employment of participants on New Deal for 18–24 year olds. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

Unless an individual returns to the Jobseeker's Allowance, the Employment Service does not have a record of destinations after they have left New Deal from the subsidised employment option or gone into unsubsidised employment. They may, for example, have stayed with the company which provided their placement or moved to another job.

In response to your specific questions we do not therefore hold information on those New Deal participants who have left unsubsidised employment within nine months nor those who were no longer in employment on 31 January. I am, however, able to confirm that of the 12,492 who started on the Employment option between January 1998 and end November 1998, 2041 (16%) left that option within six months of starting it. As you will be aware, the reported statistics are revised to exclude those who do not stay in a New Deal job for 13 weeks—that is they are subsequently not counted as moving into employment.

As part of the overall evaluation of the New Deal we will however be looking at the numbers of young people who have left New Deal and have not returned to Jobseeker's Allowance, using the Evaluation Database. The number of young people who are in jobs 6, 12 and 18 months after they leave the New Deal will be one of the core measures of each area's success.

I hope this is helpful.

Art Foundation Students

Mr. Brady: To ask the Secretary of State for Education and Employment how many art foundation course students are undertaking a course in 1998–99 who will subsequently undertake a degree course commencing in 1999 and will be liable to pay tuition fees. [71802]

Mr. Mudie: The data requested are not currently available. Information on the number of students who are undertaking an arts foundation course in 1998–99 will be available in April this year from the Higher Education Statistics Agency.

Tuition Fees

Mr. Brady: To ask the Secretary of State for Education and Employment how many students have benefited from the exemption from tuition fees for Gap year students. [71801]

Mr. Mudie: The latest available figures from UCAS show that 18,960 UK domiciled students deferred entry to full-time and sandwich undergraduates courses from 1997 to 1998. However, not all of these students will necessarily have their fees paid as part of their mandatory award without reference to their income. The gap year concession applies only to those students who, by 1 August 1997, had received a firm offer of a place on a course deferred until 1998–99, or a conditional offer which was then confirmed when the student met the terms of that offer.

Youth Workers

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what measures the Government will take to ensure an adequate supply of youth workers. [70298]

Mr. Mudie: The supply of trained youth workers is a matter for the relevant training institutions and employing local authorities.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what steps the Government will take to reduce the geographical disparity in the ratio of youth workers to young people. [70296]

Mr. Mudie: It is for each local authority to decide its priorities and the level of funding for each of the services for which it is responsible, including the youth service, in the light of local needs.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment if he will set up a Youth Work Ethics Committee to regulate the youth worker profession. [70297]

Mr. Mudie: The Government have no plans to set up a Youth Work Ethics Committee.

Further Education

Mr. Hancock: To ask the Secretary of State for Education and Employment what criteria will be used to allocate money to further education colleges in 1999–2000 from funds designed to replace discretionary grants previously paid to students by local education authorities. [70987]

Mr. Mudie: The criteria for allocating student support funding to colleges in 1999–2000 are still being developed. These will be made clear when allocations are made to colleges in April.

Mr. Hancock: To ask the Secretary of State for Education and Employment (1) how many discretionary awards were made by each local education authority for students in further education in each of the last five years; [70984]

(2) how much was the total allocation of discretionary awards to students in further education by each local education authority in each of the last five years; and what is the budgeted figure for 1998–99 for each authority. [70986]

Mr. Mudie: The numbers of, and expenditure on, discretionary awards made to students in further education by local education authorities in England and Wales in academic years 1992–93 to 1996–97 (latest available) are published in the annual "Statistics of Education, Student Support Volume, England and Wales"—copies of which are in the Library. The publications for 1992–93 and 1993–94 give data on numbers of further education awards in table 10 and data on expenditure in table 11; the equivalent tables for 1994–95 to 1996–97 are 9(a) and 9(b). Information on the budgeted figure for 1998–99 for each authority is not held centrally.

Mr. Hancock: To ask the Secretary of State for Education and Employment if the money allocated to further education colleges in 1999–2000 from funds designed to replace discretionary grants previously paid to students by local education authorities will be ring-fenced for that purpose. [70985]

Mr. Mudie: I can confirm that funding will be allocated to colleges in 1999–2000 specifically for student support and must be used for that purpose.

Mr. Hancock: To ask the Secretary of State for Education and Employment (1) if all further education colleges will receive an allocation of money from funds designed to replace discretionary grants previously paid to students by local education authorities; [70981]

(2) how much further education colleges in each local authority area will receive in 1999–2000 from funds designed to replace discretionary grants previously paid to students by local education authorities; [70982]

(3) if he will estimate how many colleges will receive money in 1999–2000 to replace discretionary awards previously made by local education authorities, the local authority for which has discontinued discretionary awards; [70983]

(4) how much money will be allocated to further education colleges in Portsmouth from funds designed to replace the money previously paid as discretionary grants. [70988]

Mr. Mudie: Information on the allocation of funding to colleges for student support in 1999–2000 will not be available until April.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what is the current average hourly rate for part-time teaching staff working in further education colleges *(a)* employed by agencies and *(b)* employed by further education colleges. [69583]

Mr. Mudie: The information requested is not collected centrally.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what is the current range of *(a)* starting salaries and *(b)* salaries at the highest point of the scale for teachers in further education colleges. [69581]

Mr. Mudie: At March 1997, the latest year for which information is available, 80 per cent. of new full-time further education staff in England were paid between £14,000 to £22,200.

Information for the highest paid full-time lecturers in further education cannot be identified because the data available to my department do not distinguish between lecturers and senior staff in further education colleges.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what has been the average salary of teachers in further education colleges for each of the last three years. [69580]

Mr. Mudie: The median salary of full-time lecturers and senior staff in further education colleges in England for each of the last three years for which figures are available were:

March 1995: £21,300

March 1996: £22,400

March 1997: £22,900.

Information on the salaries of part-time lecturers is not available centrally.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what proportion of all teaching staff in further education colleges have been employed on part-time or pro-rata contracts in each of the last five years. [69725]

Mr. Mudie: The proportion of part-time teaching staff in further education colleges in England is as follows:

	Percentage
	Part-time
1994–95	59
1995–96	61
1996–97	62

It is not possible to provide data for the last five years as prior to 1994–95 the data were not collected in the format requested.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what has been the proportion of all teaching staff in further education colleges employed on the senior lecturer grade in each of the last five years. [69724]

Mr. Mudie: The information requested is not collected centrally.

School Performance

Mr. Chaytor: To ask the Secretary of State for Education and Employment what plans he has to commission research on the impact of socio-economic factors on school performance tables. [66603]

Mr. Charles Clarke *[holding answer 20 January 1999]:* We are currently considering our programme for future research. The impact of socio-economic factors upon school performance is one of the subjects under consideration in this programme.

Secondary School Teachers

Mr. Chaytor: To ask the Secretary of State for Education and Employment, following implementation of the School Teachers' Review Body's recommendations on salaries for secondary school teachers, what will be the pay differential between the salaries of secondary school teachers and further education college lecturers at the lowest, mid-point and highest points of the salary scale. [69582]

Mr. Mudie: Comparable information on scales in the school and FE sectors is not current available.

Departmental Staff

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list the total number of staff *(a)* in his Department and *(b)* in each of the agencies for which he is responsible and their location in (i) London, (ii) Wales, (iii) Scotland and (iv) each of the English regions. [70481]

Mr. Mudie *[holding answer 15 February 1999]:* A regional distribution of DfEE staff, including staff in the Employment Service, can be found in Table 3 of "Civil Service Statistics 1998". A copy of this publication is in the Library.

Mr. Chaytor: To ask the Secretary of State for Education and Employment what steps he has taken to relocate staff in *(a)* his Department and *(b)* the agencies for which he is responsible to the regions of the United Kingdom with the highest levels of unemployment; and what plans he has further to decentralise the location of his Department and its agencies. [70467]

Mr. Mudie *[holding answer 15 February 1999]:* About half of DfEE staff are located outside London in Sheffield, Darlington, Runcorn and Regional Government Offices. Employment Service staff are located throughout England, Scotland and Wales serving the needs of the unemployed. The appropriate location of DfEE work across the department sites is kept under regular review. The Employment Service is by its nature already decentralised.

Schools (Surplus Places)

Lorna Fitzsimons: To ask the Secretary of State for Education and Employment what the numbers and percentages of surplus places are in each local education authority in England; and if he will make a statement on his policy on surplus places in schools. [69657]

Mr. Charles Clarke *[pursuant to his reply 4 February 1999, c. 709]:* There was an error in the primary figures for Lambeth local education authority. Lambeth has 3,442 surplus primary school places, representing 17 per cent. of total capacity, and 10 primary schools with a surplus of 25 per cent. or more, representing 14 per cent. of all schools. This means there were 762,329 surplus school places in January 1998 and 2,530 schools with a surplus of 25 per cent. or more.

Building Works (VAT)

Mr. Wyatt: To ask the Secretary of State for Education and Employment how many local authority-partnership schools have basic needs capital building projects starting after 1 April; and what arrangements are in place for local authority-partnership schools to reclaim VAT paid on these projects. [71358]

Ms Estelle Morris: The Department does not hold information on how many such schools have basic need projects starting after 1 April 1999. The Department provides additional funding where a local education authority (LEA) can demonstrate that there will be a shortfall of places in an area in the medium term. It is, however, for each LEA to decide how to meet that shortfall, including how many of its existing schools to extend or adapt and what new schools to build. The Department itself provides grant directly to governors of voluntary aided and special agreement schools. We expect to fund 28 projects to meet Basic Need starting after 1 April 1999.

The VAT treatment of capital building projects at schools maintained by LEAs depends upon the precise contractual arrangements in place.

Press Releases

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list for each of the years 1990 to 1998 the number of press releases issued by his Department's agencies and non-departmental public bodies. [71485]

Mr. Mudie: The number of press releases issued between 1990 and 1998 for this Department's agencies and non-departmental public bodies are as follows:

	Number
Qualifications & Curriculum Authority (QCA)	269
Further Education Funding Council (FEFCE)	194
Higher Education Funding Council (HEFCE)	171
Funding Agency for Schools (FAS)	36
Teacher Training Agency (TTA)	79
Employment Service (ES)	31

[1] Includes figures for the previous bodies (SCAA, SEAC, NCC, NCVQ)

[2] Figures since June 1997. Prior to that date press releases were included in Departmental releases and does not include releases put out regionally by the Employment Service.

These are overall figures. A breakdown of figures year by year between 1990 and 1998 could not be supplied by the agencies concerned as no records were kept.

PRIME MINISTER

Elections

Dr. Kumar: To ask the Prime Minister what advice has been given to civil servants on the conduct of Government business during the forthcoming elections to the Scottish Parliament, the National Assembly for Wales and local councils on 6 May and to the European Parliament on 10 June. [72140]

The Prime Minister: The Government have issued guidance to civil servants on the principles which they should observe in relation to the conduct of Government business in the period before the forthcoming elections.

The guidance stresses that civil servants should conduct themselves in accordance with the Civil Service code and is based on the need to maintain political impartiality of the Civil Service and the need to ensure that public resources are not used for party political purposes.

The guidance will come into force on 13 April for the 6 May elections and on 20 May for the 10 June elections.

Copies of the guidance have been placed in the Libraries of the House, and are also available from the Vote Office.

LORD CHANCELLOR'S DEPARTMENT

Judge Willis

Mr. Winnick: To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the reason for Judge Willis being removed from hearing the case of R. *v.* Sparkes at the Bristol Crown Court in 1996–97; what advice was afterwards given by the Lord Chancellor to those responsible for the removal; if an apology was given to Judge Willis; and if he will make a statement. [71666]

Mr. Hoon: The circumstances of this matter have so far as possible been fully investigated by the Lord Chancellor. Following a series of related cases being heard by Judge Willis in late 1996, an allegation of bias was made by the prosecution, who proposed to make application to the senior Presiding Judge of the Western Circuit in open court for the appointment of another judge to hear the case of R. *v.* Sparkes which Judge Willis was due to try. The Presiding Judge was then engaged in a highly publicised trial attracting much press interest. He was of the opinion that no matter how fanciful the substance of the allegation it was undesirable that the application should be made. With (as he understood) the concurrence of the Recorder of Bristol and Judge Willis, he accordingly arranged for another judge to conduct the trial in R. *v.* Sparkes. He did so knowing that, if the Defence objected, they could apply to have Judge Willis reassigned to the original case. This is what, in the event, happened.

The Lord Chancellor has informed the then Presiding Judge that he does not believe the matter was dealt with as it should have been. An allegation of bias should in his judgment be addressed in open court, or at least with all the parties present in chambers. In some circumstances, such an application might be made to the judge against whom bias is alleged.

Unfortunately, Judge Willis died before the Lord Chancellor had completed his investigations and before any question of any apology could be considered. The Lord Chancellor would however wish to make plain that there was never any ground to question the integrity of the late Judge Willis, which remains wholly untarnished, and the Presiding Judge never for a moment thought otherwise.

Disability Discrimination Act 1995

Mr. Berry: To ask the Minister of State, Lord Chancellor's Department what assessment he has made of the impact on his Department's policies of the goods and services provisions of the Disability Discrimination Act 1995 to be implemented in October 1999. [71265]

Mr. Hoon: Consideration has been given to the impact of the Disability Discrimination Act 1995 and the changes that would be necessary to its practices, policies and procedures. Plans are in place to meet the requirements under the Act both in October 1999 and those parts of the Act due to come into force in 2004. Access to information and the training and awareness of staff have been identified as the key areas where changes will need to be made before October 1999.

Disabled People

Mr. Berry: To ask the Minister of State, Lord Chancellor's Department what amounts in his Department's budget for 1998–99 can be attributed to spending on disabled people; and what proportion this represents of total departmental spending. [71279]

Mr. Hoon: Since the Department does not keep a separate record of all expenditure which can be attributed to spending on disabled people, the information requested could be provided only at disproportionate cost.

Mediation UK

Jackie Ballard: To ask the Minister of State, Lord Chancellor's Department if his Department intends to support Mediation UK with core funding for 1999–2000. [71543]

Mr. Hoon: This Department does not intend to provide core funding for Mediation UK for the next financial year. It would be inappropriate to fund any particular mediation organisation until the Department's policy towards alternative dispute resolution in non-family civil disputes is settled.

Public Awareness

Dr. Gibson: To ask the Minister of State, Lord Chancellor's Department what steps he is taking to increase public awareness of the work of his Department. [70756]

Mr. Hoon: The Lord Chancellor's Department has recently published a free booklet called "Working for Justice: A Guide to the Lord Chancellor's Department." Written in clear English and attractively designed and illustrated, it explains the role and functions of the Department, as well as tracing the history of the office of Lord Chancellor. We have printed 70,000 copies and made them available to the public through all courts in England and Wales.

Another recent publication intended to explain succinctly to the public how the department plans to take forward reform of the civil law is "Modernising Justice: A Summary of the Government's Proposals". We have printed 70,000 copies of this publication also, and made it available free of charge through the courts, public libraries and law firms. The White Paper itself is of course also available to the public.

The Lord Chancellor's Department produces an annual report, setting out its policy objectives and expenditure plans. It is available to the public through HMSO bookshops.

The Lord Chancellor's Department Internet website was upgraded last year and covers speeches, civil matters, criminal matters, legal aid, judges, magistrates, the courts, press notices and the department as a whole. There are websites for the Court Service and the Public Trust Office too.

I undertake a regular programme of speeches and talk formally and less formally to a very wide range of people, as does the Lord Chancellor. We take every opportunity to explain the role of the department and to raise awareness of its policies.

Both the Lord Chancellor and I also use the media to put across the importance of the work of the department to as wide an audience as possible. The press office of the Lord Chancellor's Department issues press notices to the local, national and specialist media to keep them informed of all key developments.

Civil Servants (Misconduct)

Mr. Maclean: To ask the Minister of State, Lord Chancellor's Department if he will list the offences or acts of misconduct under which a civil servant in his Department could have his pension removed or reduced; and how often this has happened during the last five years. [70777]

Mr. Hoon: I refer my hon. Friend to the reply he received to this question from the Parliamentary Secretary, Cabinet Office on 15 February 1999, *Official Report*, column 569.

Census Returns

Mr. John M. Taylor: To ask the Minister of State, Lord Chancellor's Department how many of the post-1920 census returns have been transferred to the Public Record Office; and what would be the impact on staffing and accommodation at the Public Record Office of the transfer of all decennial census returns to the Office 30 years after their creation. [70993]

Mr. Hoon: None of the post-1920 census returns has been transferred to the Public Record Office.

The post-1920 decennial census returns which were created more than 30 years ago occupy about 50 linear kilometres of storage space. If they were transferred to the Public Record Office they would fill up all storage space available now and require the provision of substantial additional accommodation. They would also require an estimated three additional members of staff for maintenance and security.

Substantial additional storage space would also be required for the statutory transfers of records over the next decade or so which they would displace.

Mr. John M. Taylor: To ask the Minister of State, Lord Chancellor's Department if he will make a statement about the failure of Registrars General, during the period 1969 to 1985 to transfer census returns to the Public Record Office not later than 30 years after their creation; and *(a)* when and *(b)* by whom this failure was first brought to the attention of a Lord Chancellor. [70995]

Mr. Hoon: The census returns in question were not transferred during the period 1969 to 1985 because at that time the advice was that the existence of a statutory bar to disclosure, established by the Census Act 1920, overcame the obligation on departments to transfer their records by the time they were 30 years old. However, the Office of Population Censuses and Surveys wished its retention of the returns to be covered by the Lord Chancellor's approval and this was given in 1985.

This matter was not brought to the attention of a Lord Chancellor since the fact that the records had not been transferred was not then considered to be non-compliance with the provisions of the Public Record Acts.

HEALTH

Residential Care (Appointments)

Mr. Blizzard: To ask the Secretary of State for Health (1) if he will make a statement on the qualifications which will apply to applicants for employment as inspectors of residential care homes by Commissions for Care Standards; [70866]

(2) what criteria will be used in the appointment of inspectors of residential care homes by Commissions for Care Standards. [70865]

Mr. Hutton: It will be for Commissions for Care Standards to set out the precise criteria for appointing inspectors, but they will have to recruit suitably fit people with the appropriate qualifications, experience and backgrounds in order to fulfil their regulatory function.

The Department is working with interested parties to identify the occupational standards, qualifications and precise training needs of regulatory staff, and will consider as part of this work how to promote improved training arrangements in advance of the establishment of the Commissions.

Attention Deficit Disorder

Mr. Nigel Jones: To ask the Secretary of State for Health what assessment he has made of the use of the drug methylphenidate hydrochloride in the treatment of children with attention deficit disorder; what research his Department is funding into side effects of methylphenidate hydrochloride; and if he will make a statement. [70909]

Ms Jowell: Methylphenidate hydrochloride (Ritalin) has been assessed by the normal procedures for authorisation of a medicinal product in the United Kingdom to ensure its quality, safety and efficacy in the indication for use; in this case, the treatment of children over 6 years with attention deficit hyperactivity disorder, where remedial measures alone have failed. The marketing authorisation states that it should be part of a comprehensive treatment programme including psychological, educational and social measures, under the supervision of a specialist in childhood behavioural disorders.

As for all medicines, the safety of methylphenidate continues to be monitored by the Medicines Control Agency after it has been marketed. If new safety issues are identified, regulatory action is taken to update the authorised product information or take other appropriate action.

Women (Engineering)

Mrs. Curtis-Thomas: To ask the Secretary of State for Health what discussions have been held by the Women's Unit with the Engineering Council to discuss ways of increasing the number of women entering the profession. [70705]

Ms Jowell: The women's unit has not held any discussions with the Engineering Council. Work on promoting science and engineering and technology (SET) as rewarding and fulfilling careers for women is taken forward by a specialist unit within the Office of Science and Technology (OST), the Promoting SET for Women Unit. They have an ongoing dialogue with the Engineering Council through the WISE campaign (Women into Science and Engineering). A careers guidance handbook has been published, sponsored by the Department of Trade and Industry and WISE in addition to other key organisations, to help women consider how they might enter the field and plan a career within it. My noble Friend Lord Sainsbury recently hosted a reception in the House of Lords to promote the WISE campaign to a wider audience and seek further support, in particular from industry. OST will shortly be meeting with the chief executive of the Engineering Council and the WISE Campaign manager, the Women's Engineering Society and the Association of Women in Science and Engineering to look at the work of their organisations and of the Promoting SET for the women unit and to consider possible future collaboration.

Allergy Services

Mr. Grogan: To ask the Secretary of State for Health if he will make a statement on the future of allergy services. [71690]

Mr. Hutton: The Department recognises the concerns expressed over the services available for the assessment and treatment of allergies in the National Health Service. Officials will soon be meeting representatives of the British Society for Allergy and Clinical Immunology and other relevant professional and patient support bodies to discuss the future of allergy services. The Society will be proposing an agenda for this meeting based on their preliminary discussions with the other interested parties.

The Advisory Group on Medical Education and Training, chaired by the Chief Medical Officer, is currently considering an application from the Royal College of Physicians' Joint Committee on Higher Medical Training for the recognition of allergy as a clinical specialty in its own right.

Doctors

Mr. Austin: To ask the Secretary of State for Health what estimate he has made of (1) the number of doctors practising in the NHS who are overseas trained and (ii) the percentage they constitute of the medical workforce; what estimate he has made of the number who will retire in the next 10 years; and what assessment he has made of the impact this will have on the need for *(a)* overseas recruitment and *(b)* increased training places in the United Kingdom; [71803]

(2) what estimate he has made of the (i) number and (ii) percentage of general practitioners in the NHS who are overseas trained; and what estimate he has made of the number who will retire in the next 10 years. [71804]

Mr. Denham: The autumn 1997 headcount of doctors in the National Health Service in England showed that there were 86,960 general practitioners (unrestricted principals) and hospital doctors, of whom 19,070 (22 per cent.) qualified outside the European Economic Area (EEA). Within these figures, there were 27,100 GPs (unrestricted principals), of whom 4,530 (17 per cent.) qualified outside the EEA.

It seems reasonable to assume that most of the doctors who will retire in the next decade will be drawn from the current stock of doctors who are aged 50 or over. The numbers in this category were as follows:

	Total	*Qualified outside the EEA*
GPs (unrestricted principals)	8,070	3,130
Hospital doctors	11,310	3,570
Totals	19,380	6,700

Notes:

1. Figures quoted are rounded to the nearest 10
2. Totals may not equal sum of components due to rounding

Source:

Department of Health Medical and Dental Workforce Census, 30 September 1997

Department of Health General Medical Statistics, 1 October 1997

Intake to undergraduate medical schools in the United Kingdom has risen steadily in the past decade. The Government have accepted the recommendation of the Medical Workforce Standing Advisory Committee, that the intake should increase further, by nearly 20 per cent. over the next few years. This should mean a steady growth in the supply of UK-trained doctors, well into the next century. None the less, it seems likely that supply will be supplemented by a range of recruitment and retention initiatives, for example, the salaried GPs scheme and further overseas recruitment, where required.

NHS Staff (Pay)

Mr. Austin: To ask the Secretary of State for Health what plans [illegible] to introduce parity in pay rises between NHS sta[illegible]ed by the Pay Review Body and those outside the [illegible] Review Body, and if he will make a statement. [71807]

Mr. Denham: We have signalled clearly that the award for nurses and the Professions Allied to Medicine is a special case and should not be seen as a yardstick for other National Health Service staff. We will open negotiations soon with non-review body staff groups and will seek a fair settlement which reflects labour market conditions.

Mr. Austin: To ask the Secretary of State for Health what is the average current starting salary for *(a)* a graduate nurse and *(b)* a graduate entrant Medical Laboratory Scientific Officer with a BSc degree. [71809]

Mr. Denham: The current minimum starting salary for newly qualified nurses, including graduate nurses, is £12,855. This is the minimum point on the Grade D salary scale, the maximum point on the scale being £14,705.

The current minimum starting salary for a graduate entrant Medical Laboratory Scientific Officer with a Bachelor of Science degree is £7,476. This is the minimum point on the trainee MLSO salary scale, the maximum point being £9,796.

The current minimum starting salary for a qualified MLSO, with BSc degree plus post-registration training, is £11,812. This is the minimum point on MLSO1 salary scale, the maximum point being £15,546.

Employers have the freedom to place a nurse or a MLSO on any point of their appropriate salary scale.

Mr. Austin: To ask the Secretary of State for Health what plans he has to change the national Framework Agreement of 1995 for NHS staff; and if he will make a statement. [71808]

Mr. Denham: We published "Agenda for Change", our proposals for modernising the NHS pay system, on Monday 15 February. We are opening talks with NHS professional and staff organisations on the basis of this agenda.

Prescriptions

Mr. Peter Bradley: To ask the Secretary of State for Health (1) what proportion of branded drugs prescribed by GPs in 1997–98 was prescribed by dispensing practices and what proportion by non-dispensing practices; [71568]

(2) what proportion of *(a)* all drugs and *(b)* branded drugs prescribed by GPs were prescribed by dispensing practices in 1997–98. [71570]

Mr. Denham: The information requested is shown in the table.

Percentage of items prescribed in general practice[1] in England and dispensed in the community by prescriber, 1997–98[2]

	Prescriber	
	Prescribing practices[3] (%)	*Dispensing practices[4] (%)*
Branded, ie non-generic items[5]	82	18
All items	91	9

[1] Information for items prescribed and dispensed in National Health Service hospitals is not available.

[2] The prescription information was obtained from the Prescribing Analyses and Cost (PACT) system and is based on a full analysis of all prescriptions written by general practitioners and practice nurses in England which are dispensed in England, Wales, Scotland, Northern Ireland and the Isle of Man. All figures exclude dressings and appliances.

[3] Drugs prescribed by prescribing practices which are dispensed by community pharmacists.

[4] Includes drugs prescribed by dispensing practices which are dispensed by community pharmacists.

[5] In PACT, prescription items can be prescribed generically, and recorded as a generic, but dispensed and reimbursed as a proprietary because a generic does not exist. The percentage of non generic drugs prescribed in the reply does not include these items.

Mr. Peter Bradley: To ask the Secretary of State for Health what are the average consultation rates of *(a)* a prescribing GP and *(b)* a dispensing GP. [71572]

Mr. Denham: The information requested is not available.

Mr. Peter Bradley: To ask the Secretary of State for Health (1) what proportion of drugs expenditure in 1997–98 was on branded drugs; [71591]

(2) what proportion of drugs prescribed in 1997–98 was branded. [71575]

Mr. Denham: The information requested is shown in the table.

Items prescribed in general practice[1] in England and dispensed in the community, 1997–98

	Per cent.
Percentage of net ingredients cost[2] of prescription items which were branded, i.e. non generic drugs	49
Percentage of prescription items which were branded, i.e. non generic	37

[1] Information for items prescribed and dispensed in National Health Service hospitals is not available.

[2] The net ingredient cost is the basic cost of a drug. This cost does not take account of discounts, dispensing costs, fees or prescription charge income.

Source:

PPA, Prescribing Analyses and Cost (PACT) system

Mr. Peter Bradley: To ask the Secretary of State for Health what proportion of drugs were prescribed in 1997–98 in hospitals and by GPs. [71569]

Mr. Denham: The information requested is not available. Data for items prescribed in National Health Service hospitals are not held centrally.

Mr. Peter Bradley: To ask the Secretary of State for Health what was the total overspend in 1997–98 of health authority-administered Family Health Service drugs budgets. [71573]

Mr. Denham: In 1997–98, health authorities overspent their Family Health Service drugs budget by a net total of £69 million.

Mr. Peter Bradley: To ask the Secretary of State for Health what is the average list size of *(a)* a prescribing GP and *(b)* a dispensing GP. [71571]

Mr. Denham: The information requested is shown in the table.

Average list sizes for dispensing and non-dispensing unrestricted principals in England as at 1 October 1997

Unrestricted principals[1]	*Average list size*
Dispensing[2]	1,734
Non-dispensing	1,905

[1] An Unrestricted Principal is a practitioner who is in contract with a health authority to provide the full range of general medical services and whose list is not limited to any particular group of persons. Most people have an Unrestricted Principal as their general practitioner.

[2] A dispensing doctor is one who is authorised to prescribe and dispense prescriptions for patients who either have difficulty reaching a chemist due to inadequate means of transportation or who live in a rural area. The average list size for dispensing doctors includes all patients on the doctors' lists, not just those to whom the doctor is authorised to dispense.

Source:

Department of Health General Medical Services Statistics 1 October 1997

Mr. Peter Bradley: To ask the Secretary of State for Health how many *(a)* dispensing and *(b)* non-dispensing GPs there were at the latest available date. [71567]

Mr. Denham: There were 4,263 dispensing and 22,836 non-dispensing general practitioners at 1 October 1997.

Source:

Department of Health General Medical Statistics 1 October 1997.

NHS Appointments

Mr. Brady: To ask the Secretary of State for Health if he will list all appointments as *(a)* chairman and *(b)* non-executive director of (i) health authorities and (ii) trusts, made since 1 May 1997 where an elected member of a local authority has been appointed; and if he will give the party affiliation in each case. [71667]

Mr. Denham: The information requested has been placed in the Library.

Mr. Brady: To ask the Secretary of State for Health if he will list elected members of local authorities who have been appointed to serve on primary care groups stating *(a)* the party affiliation and *(b)* the (i) fee and (ii) allowances payable in each case. [71668]

Mr. Denham: Information on primary care group board members who are also elected members of local authorities is not available centrally. Information on the fees and allowances payable to primary care group board members is contained in Health Service Circular 1998/190, copies of which are available in the Library.

Detailed information on the composition of primary care group board members is currently being collected and will be made public as soon as possible.

Carers

Mr. Burstow: To ask the Secretary of State for Health if he will list for each local authority *(a)* the amount of grant that will be payable in each year to support the National Carers Strategy, *(b)* the estimated number of carers and *(c)* the product of dividing *(a)* by (b). [71104]

Mr. Hutton: As one part of the carers strategy, we have announced a new special grant to local authorities of £140 million over three years to improve the range and diversity of provision aimed at giving carers a break. Under community care legislation, this provision can be made only for carers who are caring for someone assessed as needing community care services. A special grant report, listing the allocations for each local authority for the carers' grant, will be laid before Parliament shortly. Information is not currently available to allow an estimate to be made of the number of such carers in each local authority area.

Diet

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what action the Government have taken to promote healthier diets; [70130]

(2) what action the Government have taken to provide information in deprived areas on the recommended daily intake of fruit and vegetables. [70131]

Ms Jowell: Diet is a matter of personal choice. However, we recognise that it is important that people have the information they need to decide what they want to eat. Our aim, therefore, is to provide clear, consistent and understandable advice to help them make healthy eating choices. For these reasons we fund the Health Education Authority to produce information and advice to increase the knowledge and skills of key professional groups to promote the principles of healthy eating and also to improve consumers' understanding of a healthy diet. "The Balance of Good Health" has been instrumental in improving awareness of a healthy and balanced diet as it illustrates in a simple way, by using a picture of a plate, the proportions of the balance of foods recommended by independent experts.

As part of the work which the Health Education Authority undertakes on promoting healthy eating, it has established, in partnership with the National Food Alliance, a food and low income database. This provides information about projects which have been established in response to difficulties which some communities have experienced in accessing fruit and vegetables. On my recent visit to Coventry, I saw one good example of such an initiative. Also using funding provided by the Department of Health, the National Food Alliance and the Health Education Authority together ran a series of regional seminars to bring together those working in the food and low income field to exchange best practice in planning, developing and carrying out community food initiatives and help others new to the field.

More generally, I am the lead Minister for the policy action team which is charged with developing a strategy for improving shopping access for people living in deprived neighbourhoods. This is one of eighteen policy action teams which have been established following the publication of the Social Exclusion Unit's report on neighbourhood renewal last September. The policy action team aims to develop integrated and sustainable approaches on improving shopping access for those living in deprived neighbourhoods.

Food (Salt)

Mr. Jim Cunningham: To ask the Secretary of State for Health if he will take steps to require manufacturers of pre-packed and pre-cooked meals to reduce the levels of salt in their food. [70132]

Ms Jowell: There is a large body of authoritative opinion that the amount of salt in the national diet is unnecessarily high, and we have therefore asked officials in the Department to explore with the food industry the scope for reducing the levels of salt in processed foods. Pending these discussions, we have no plans to require this from manufacturers.

Press Releases

Mr. Don Foster: To ask the Secretary of State for Health if he will set out the conventions governing the propriety and cost of press releases issued by his Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71463]

Ms Jowell: The Department adheres to the Access of Information Code of Practice. The Department continually reviews the most cost effective methods for issuing press releases, however, no separate costing is available, as the cost is absorbed within the expenditure for running the Department's Communications Directorate.

The following figures are the press releases issued since May 1997:

May-December 1997: 320

1998: 556

January-12 February 1999: 71.

Mr. Don Foster: To ask the Secretary of State for Health how many press releases have been issued by his Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71448]

Ms Jowell: The information requested is in the table.

The table indicates all press releases issued for the requested period 1990 to 1998. The Department's press office issues press releases on behalf of the Medical Devices Agency, Medicines Control Agency, National Health Service Pensions Agency, National Health Service Estates and some non-departmental public bodies.

Year	*Total*
1990	484
1991	529
1992	454
1993	683
1994	610
1995	588
1996	366
1997	406
1998	556

Viagra

Mr. Laurence Robertson: To ask the Secretary of State for Health if he will seek to recover the cost of prescribing Viagra from those doctors who do so ahead of the Government's recommendations at the end of the consultation period; and if he will make a statement. [71193]

Mr. Denham: No. Viagra (sildenafil) is not included on either Schedule 10 or 11 of the National Health Service (General Medical Services) Regulations 1992 and it would not be expected that such action would be taken unless, as in any other case, recovery of an amount were to be due by virtue of other provisions relating to general practitioners and their terms of service.

Beta-interferon

Mr. Laurence Robertson: To ask the Secretary of State for Health what discussions he has had with health authorities regarding the prescribing of beta-interferon; what medical advice he has received regarding the benefits of that drug; what percentage of health authorities prescribe this drug; and if he will make a statement. [71192]

Mr. Denham: My right hon. Friend the Secretary of State has had no discussions with health authorities regarding the prescribing of beta-interferon.

Clinical advice from the Standing Medical Advisory Committee on the use of beta-interferon-1b in relapsing-remitting multiple sclerosis in adults was included in guidance issued to health authorities in November 1995 to help the National Health Service prepare for the introduction of beta-interferon for the treatment of multiple sclerosis (Executive Letter (95) 97). This included advice that general practitioners should be encouraged not to prescribe beta-interferon themselves, and instead refer patients who apparently fulfil the indications for this form of treatment to a hospital neurologist.

The majority of beta-interferon prescribing should therefore take place in hospitals. Hospital prescribing and dispensing data are not held centrally.

FOREIGN AND COMMONWEALTH AFFAIRS

East Timor

16. **Mrs. Fyfe:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had about the future of East Timor. [69437]

Mr. Fatchett: We remain committed to the UN process of searching for a solution to the East Timor problem. We are in regular touch with the Indonesian and Portuguese foreign ministers and the UN Secretary-General's Special Representative on East Timor, Jamsheed Marker. We welcome the recent Indonesian government announcement that East Timor might reach independence and hope it will prove to be a turning point.

24. **Dr. Whitehead:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Indonesian Government about military activity in East Timor since their offer of independence for the territory. [69445]

Mr. Fatchett: We are concerned at reports of growing tension in East Timor. We have been in regular touch with the Indonesian government about the situation there since their announcement that East Timor might reach independence.

Windward Islands

17. **Mr. Borrow:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the policy of the Government towards the Windward Islands. [69438]

Mr. Tony Lloyd: We continue to have very good relations with the Windward Islands, and to maintain permanent representation in three of them. We continue to encourage increased efficiency in the banana industry and promote diversification. We are working through the WTO to try to resolve the dispute with the US over the revised EU banana regime.

Cyprus

18. **Mr. Bill O'Brien:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in reaching a settlement in Cyprus. [69439]

Ms Quin: I refer my hon. Friend to the answer I gave earlier in the House today to my hon. Friend the Member for Hendon (Mr. Dismore) and the hon. Member for Eastbourne (Mr. Waterson), *Official Report*, column 723.

25. **Mr. David Atkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress on the Cypriot application for membership of the European Union. [69446]

Ms Quin: The enlargement process is on track. For Cyprus (and the five Central European states considered ready) substantive negotiations on the first seven chapters of the Union acquis began on 10 November. We support the German Presidency's aim of opening negotiations on half of the 31 chapters with these countries by the Cologne Council in June.

UN Committee 661

19. **Mr. John Cryer:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the remit of United Nations Committee 661 in relation to sanctions on Iraq. [69440]

Mr. Fatchett: The Government fully support the crucial role of the United Nations Committee established pursuant to Security Council Resolution 661 in monitoring and implementing sanctions against Iraq, including humanitarian exemptions and relief under the Oil for Food programme.

We took the lead last year in proposing improvements to the procedures of the Sanctions Committee to increase the effectiveness of the Oil for Food programme. According to the latest reports, this programme is having ever greater success in ensuring that humanitarian supplies reach those who need them.

Middle East Peace Process

20. **Mr. Fabian Hamilton:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to support the middle east peace process; and if he will make a statement. [69441]

28. **Mr. Butterfill:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to assist the middle east peace process. [R] [69449]

36. **Mr. Clappison:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had concerning the middle eastern peace process with middle eastern Governments; and if he will make a statement. [69457]

Mr. Robin Cook: Together with our EU partners we have deplored the failure to complete the implementation of the Wye River Memorandum within the declared deadline, and we continue to urge both sides to implement their obligations in full and without new conditions.

The peace process lost one of its leading advocates with the death of His Majesty King Hussein bin Talal of Jordan on 7 February. The finest tribute to his memory would be to get the peace process back on track.

Last week's visit to the region by German Foreign Minister Fischer as European Council Presidency was a welcome opportunity for us to explore ways that Europe can support the peace process.

International Criminal Court

21. **Dr. Tony Wright:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the development of the International Criminal Court. [69442]

Mr. Tony Lloyd: Seventy-five States, including the UK, have signed the Statute of the International Criminal Court, and one—Senegal—has ratified it. We intend that the UK should be among the first sixty States to ratify. The first meeting of the Preparatory Commission for the Court begins today in New York. The Government will continue to lobby for international support for the Court, and will play a full part in the work of the Preparatory Commission.

Iran

22. **Mr. Corbett:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to meet representatives of the Iranian Government to discuss restoration of full diplomatic relations. [69443]

29. **Mrs. Curtis-Thomas:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his last meeting with the Government of Iran. [69450]

Mr. Fatchett: My right hon. Friend the Foreign Secretary's last meeting with a representative of the Iranian government was with Foreign Minister Kharrazi at the United Nations in New York in September. He and Dr. Kharrazi have subsequently spoken on the telephone. My right hon. Friend the Foreign Secretary has no plans to meet representatives of the Iranian government in the immediate future.

Yemen

23. **Ms Moran:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he will take to ensure that British citizens arrested in Yemen receive a fair trial. [69444]

Mr. Fatchett: My right hon. Friend the Foreign Secretary left Prime Minister Iryani in no doubt about our serious concern that the British nationals arrested in Yemen be subject to the due process of law in open court, with our consular staff in attendance. We have discussed our concerns with Prime Minister Iryani on three separate occasions. The trial began on 27 January. We are monitoring the proceedings.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from other countries concerning the situation in Yemen. [70398]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has received no representations from other countries about the situation in Yemen, but has stayed in close touch with the Yemenis.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British citizens are currently in detention in Yemen. [70397]

Mr. Fatchett: On 16 February 1999 there were eight British nationals in trial in Yemen.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate how many British citizens are currently in Yemen. [70396]

Mr. Fatchett: There are 373 British nationals currently registered with the British Embassy in Sana'a. Allowing for others not registered it is estimated that the total number of British nationals based in Yemen may be around 400.

World Bank

26. **Mr. Sheerman:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he will next meet the President of the World bank to discuss its new programme of public-private partnerships. [69447]

Mr. Tony Lloyd: Neither I nor my right hon. Friend the Foreign Secretary have current plans to meet with the President of the World Bank.

The UK is a key source of funding for the World Bank's Public Private Infrastructure Advisory Facility and the Business Partners for Development scheme.

Mongolia

27. **Jane Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's relations with Mongolia. [69448]

Mr. Fatchett: Britain enjoys a very warm relationship with Mongolia. We have supported fully Mongolia's transition to democracy, and commend the Mongolian Government's commitment to achieving a market economy. Our educational and cultural links are strong and bilateral trade has increased. We hope that the relationship will continue to develop in all areas.

Kosovo

30. **Gillian Merron:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about progress towards a political settlement in Kosovo. [69451]

Mr. Tony Lloyd: Contact Group Foreign Ministers met in Paris at the weekend to assess progress in the Kosovo peace talks. Although progress has been slower than we had hoped, the two parties remain engaged and we agreed to allow them a further week in which to conclude negotiations. It is now crucial that they reach agreement on the difficult issues outstanding.

Provided that the parties live up to their responsibilities to reach an interim settlement, the international community is willing to devote significant civilian and military resources to helping the people of Kosovo rebuild their lives in conditions of security. But we will hold both sides accountable if they fail to take this opportunity.

St. Malo Agreement

31. **Helen Jones:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with European partners about the St. Malo agreement on security and foreign policy. [69452]

Ms Quin: At St. Malo, we agreed with the French Government the principles which any new European defence arrangements should observe. Other European partners welcomed those ideas at the European Council in Vienna. Since then, there have been numerous contact at official level with both EU partners and NATO Allies to pursue detailed work.

Somaliland

32. **Ms Oona King:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Somaliland. [69453]

Mr. Tony Lloyd: We do not recognise the region of Somalia known as "Somaliland" as an independent sovereign state.

Although we do recognise the Republic of Somalia, we do not maintain diplomatic relations there in the absence of a Government.

However, our Ambassador and his staff in Addis Ababa do maintain an unofficial dialogue with the self-proclaimed Government of Somaliland.

Agenda 2000

33. **Mr. Pound:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the proposals for EU enlargement under Agenda 2000; and if he will make a statement. [69454]

Mr. David Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about progress on EU enlargement under Agenda 2000. [69579]

Ms Quin: I refer my hon. Friends to the answer my right hon. Friend the Foreign Secretary gave in the House earlier today on this subject, in response to a question from my hon. Friend the Member for St. Helens, North (Mr. Watts), *Official Report*, column 715.

Iraq (Kurds)

34. **Mr. Tom Clarke:** To ask the Secretary of State for Foreign and Commonwealth Affairs what political support Her Majesty's Government are giving to the Kurds of northern Iraq; and if he will make a statement on his Department's contacts with the Kurdish political parties. [69455]

Mr. Fatchett: As one of the co-sponsors of the Ankara Peace Process, we support the building of peace and stability for the Kurds in Iraq. RAF aircraft continue to participate in Operation Northern Watch, which plays a major role in protecting the people of northern Iraq from repression. Our bilateral aid programme for northern Iraq amounts to some £3 million a year.

We have kept in close contact with the Kurdish Diplomatic Party and Patriotic Union of Kurdistan as their leaders have worked towards reconciliation. We remain ready to assist that process in any way we can. We welcomed the agreement reached in Washington in September 1998 and have discussed with the parties' leaders here in London how we can help make the agreement work in practice. In addition to regular meetings with representatives of these and other Iraqi Kurdish groups in London, officials from our Embassy in Ankara also make periodic visits to northern Iraq to meet Kurdish leaders.

European Institutions (Reform)

35. **Mr. Healey:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about reform of the European institutions; and if he will make a statement. [69456]

Ms Quin: The Government have received representations on institutional reform both in contacts with partners and from non-governmental organisations. The Cologne European Council will take the next step by deciding how and when to tackle the institutional issues not resolved at Amsterdam.

Nuclear Disarmament

37. **Mr. Savidge:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are taking to promote global nuclear disarmament; and if he will make a statement. [69458]

Mr. Tony Lloyd: The Government set out their approach to nuclear disarmament in the Strategic Defence Review in July 1998. We intend to be a constructive actor in the nuclear disarmament process, using our influence to move it forward where we can. My right hon. Friend the Secretary of State for Defence set out in his Parliamentary answer of 2 November 1998, *Official Report*, columns *414–15*, the steps this Government have already taken in this area.

The highest priorities now are promoting the ratification of START II by the Russian Duma; securing entry into force of the Comprehensive Test Ban Treaty; and the negotiation of a Fissile Material Cut-Off Treaty.

Environmental Issues

38. **Mr. Paul Clark:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the steps taken by his Department to support international work on environmental issues. [69459]

Mr. Fatchett: They are many and varied: we are working in international fora, including G8 and CHOGM, with colleagues from other Departments to achieve better protection of the international environment and sustainable use of natural resources. Under our Presidency of the EU, we achieved our objective at the European Council in June 1998 of agreement to integrate the environment into all areas of EU policy-making. We co-funded, with DfID, a successful Caribbean marine biodiversity workshop co-chaired with Jamaica in October 1998. We have contributed to the leading role the British Government have been able to take in international environmental negotiations, for example the climate change conference in Buenos Aires in November 1998. We are now building a closer relationship with business and NGO's on the environment, through our FCO/Business Energy Challenge, and our programme to support small environmental projects.

Ministerial Flights

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the total cumulative cost incurred by his Department for ministerial use of RAF and chartered aircraft in the year to 1 May 1997. [69074]

Mr. Tony Lloyd *[holding answer 4 February 1999]:* The total cumulative cost of ministerial use of RAF and chartered aircraft in the year to 1 May 1997 was just over £1.006 million.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the name of the 16 year-old Iraqi youth, imprisoned since the age of five years for throwing a stone at a picture of Saddam Hussein, to whom he has referred in public statements. [69786]

Mr. Fatchett *[holding answer 8 February 1999]:* My right hon. Friend the Foreign Secretary never purported to know the boy by name. He received an account, in good faith, of this episode. On the basis of what he already knew of Saddam Hussein's regime he found it convincing and in character. I refer my hon. Friend to the report of September 1998 of the UN Special Rapporteur on Iraq, Mr. Max Van Der Stoel, a copy of which has been placed in the Library of the House.

Indonesia

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what reports he has received of an incident on 3 February in Idi Cut, East Aceh in which Indonesian soldiers opened fire on civilians; and what representations he has made to the Indonesian Government on this incident; [70600]

(2) if he will express to the Indonesian Government the British Government's concern about armed violence in Aceh; and if he will request the Indonesian authorities to reduce the number of military personnel in Aceh. [70599]

Mr. Fatchett: We have received reports of a serious incident on 3 February in the village of Idi Cut, East Aceh, in which soldiers opened fire on a crowd. A number of deaths have been confirmed. Where there is evidence of serious human rights violations in Indonesia, we continue to raise our concerns in robust terms with the Indonesian Government.

Pakistan

Mr. Leigh: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the extent of persecution of minority *(a)* political parties and *(b)* religions in Pakistan. [70376]

Mr. Fatchett: We are monitoring the situation closely. I made clear during my visit last week our concern at reports of abuses against minorities.

Mr. Leigh: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will raise in bilateral talks with the Government of Pakistan the extent to which the fundamental rights guaranteed by the country's constitution are being honoured; and what steps he is taking to seek to ensure these rights are honoured. [70375]

Mr. Fatchett: I raised this issue with Pakistan's Minister of Law on 8 February. He told me that he was concerned that all Pakistanis received the rights granted to them under the constitution. We will continue to follow this issue closely.

Mr. Leigh: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received from officials in Pakistan about the growth of Muslim extremism in Pakistan; and what assessment he has made of its possible effects on Anglo-Pakistan relations. [70371]

Mr. Fatchett: Our Missions report on all aspects of Pakistan. Our relations with Pakistan are deep-rooted and friendly. An objective of our regular bilateral dialogue is to ensure this remains the case.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department made to the Pakistan Government during the visit to Pakistan by the Minister of State between 8 and 10 February, concerning the suppression of the Daily Jang newspaper; and if he will make a statement. [71184]

Mr. Fatchett: On 8 February I expressed concern to the Minister of Law that the Pakistan Government's dispute with the Jang Group threatened to undermine press freedom and democracy. The Minister replied that freedom of speech and an independent press were separately guaranteed under Pakistan's Constitution. We will continue to monitor the situation closely.

Zimbabwe

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to call for the expulsion of Zimbabwe from the Commonwealth. [70577]

Mr. Tony Lloyd: We have no plans to call for Zimbabwe's expulsion from the Commonwealth. Such action is a matter for the Commonwealth as a whole.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the state of governance in Zimbabwe. [70582]

Mr. Tony Lloyd: We receive regular reports on developments in Zimbabwe. There is clearly cause for concern in a number of areas, chiefly the economy, Zimbabwe's involvement in the conflict in the Democratic Republic of the Congo, and recent human rights abuses.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs when a British minister last met President Mugabe; and what was discussed. [70581]

Mr. Tony Lloyd: I met President Mugabe on 4 December 1998. We discussed the conflict in the Democratic Republic of Congo, land redistribution in Zimbabwe and human rights. I also briefed him on the UK's position on Libya/Lockerbie.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to President Mugabe following his recent broadcast on state television on possible action against the judiciary and others. [70583]

Mr. Tony Lloyd: We had already made representations, here and in Harare, about recent human rights abuses in Zimbabwe, including the detention of Mr. Chavunduka and Mr. Choto, and the disturbing allegations that they were tortured while in army detention.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to President Mugabe about the detention of the journalists Mark Chavunduka and Ray Choto. [70584]

Mr. Tony Lloyd: The Government are shocked by the detention and apparent torture of Mr. Chavunduka and Mr. Choto by the military authorities in Zimbabwe, and applauds the prompt action by the judiciary in ordering Mr. Chavunduka's release. I have already sought assurances from the Zimbabwe Government that it will take swift action to investigate these serious allegations; and to bring the perpetrators to justice. We have also made representations on these lines with our European Union partners in Harare.

We await a formal response from the Government of Zimbabwe.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what contingency plans his Department has to protect British citizens in Zimbabwe. [70585]

Mr. Tony Lloyd: All diplomatic missions overseas prepare contingency plans where there is a potential threat to the safety of the British community from civil unrest or a deterioration in the security situation. We currently hold such a plan for Zimbabwe.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Commonwealth Secretariat about civil rights abuses in Zimbabwe. [70586]

Mr. Tony Lloyd: None. I have made representations direct to the Government of Zimbabwe.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last called in the Zimbabwean Ambassador to protest about civil rights abuses in Zimbabwe. [70587]

Mr. Tony Lloyd: On 22 January we summoned the Acting High Commissioner for Zimbabwe, to protest about the detention and apparent torture of Mark Chavunduka and Ray Choto. We made it clear that we expect the Zimbabwe Government to uphold international human rights standards, and quickly to investigate allegations of abuse.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Government of Zimbabwe about allegations of torture and harassment of journalists in Zimbabwe. [69726]

Mr. Tony Lloyd: The Government are shocked by the detention and apparent torture of Mr. Chavunduka and Mr. Choto by the military authorities in Zimbabwe, and applaud the prompt action by the judiciary in ordering Mr. Chavunduka's release. I have already sought assurances from the Zimbabwe Government that they will take swift action to investigate these serious allegations; and to bring perpetrators to justice. We have also made representations on these lines with our European Union partners in Harare.

We await a formal response from the Government of Zimbabwe.

King Leka

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the South African Government about the arrest and detention of former King Leka of Albania. [70576]

Mr. Tony Lloyd: We have made no such representations to the South African Government. This is a matter for the South African judicial system.

Party Political Conferences

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the treaty base which permits the Commission representation in the United Kingdom to participate at party political conferences. [70603]

Mr. Tony Lloyd: The Commission representation in the United Kingdom attends party political conferences as an international visitor, on the same basis as other international organisations and representatives of other countries. Invitations to attend these conferences are a matter for the political party concerned. No specific Treaty base is required.

Gibraltar (Border Delays)

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) of 4 February 1999, *Official Report*, column *703*, if he will make a statement on the border delays which have occurred at Gibraltar since the agreement between the Government of Gibraltar and Spanish fishermen. [70665]

Ms Quin: Since 3 February there have been delays at the border between Gibraltar and Spain which have, on occasion, reached up to five hours. Such delays are unjustifiable and unacceptable. The Embassy in Madrid has raised this issue on several occasions recently with the Spanish Ministry of Foreign Affairs. We have made it clear to the Spanish authorities that we look to them to allow movement across the border in conformity with EU obligations.

Entry Clearance

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the current waiting times in each queue for entry to the United Kingdom in *(a)* Bombay, *(b)* New Delhi, *(c)* Islamabad and *(d)* Dhaka. [70395]

Mr. Fatchett: The latest available figures show that in Bombay, New Delhi, Islamabad and Dhaka an average of 97 per cent. of applicants for non-settlement visas, whose applications are straightforward, receive their visas within 24 hours of applying.

The current (10 February) waiting times for an interview in connection with an application for settlement in the United Kingdom, in Bombay, New Delhi, Islamabad and Dhaka are as follows (figures are in weeks):

	Dependent relatives over 65; compassionate cases	*Spouses children under 18*	*Fiance(e)s other settlement categories*	*Re-applied*
Bombay	nil	8	8	8
New Delhi	nil	14	23	29
Islamabad	7	27	28	32
Dhaka	16	28	32	36

The current waiting times for an interview (Tier 3) in connection with a non-settlement application is as follows (in days):

	Days
Bombay	nil
New Delhi	nil
Islamabad	[1]15
Dhaka	nil

[1] Wherever possible urgent compassionate cases are interviewed on day of application

Fiona Mactaggart: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average length of time a person applying for entry clearance for settlement at each post in the Indian subcontinent and in (1) Manila, (2) Bangkok, (3) Lagos, (4) Abuja, (5) Accra, (6) St. Petersburg and (7) Moscow who was interviewed in (i) December 1997, (ii) June 1998 and (iii) December 1998 waited before interview, in each queue; and how long a person who applied in (A) June 1998, (B) September 1998, (C) December 1998 and (D) January 1999 can be expected to wait, at the same posts and in each queue. [70743]

Mr. Fatchett: The statistics that are collected centrally could not provide accurate figures to reply to the first part of my hon. Friend's question. A comprehensive reply could be provided only at disproportionate cost. The statistics requested in the second part of my hon. Friend's question are as follows.

Post average waiting time for settlement interview at the end of each month (in weeks)

	June 1998	*September 1998*	*December 1998*	*January 1999*
Islamabad				
Q1	10	6	7	7
Q2	17	17	26	27
Q3	26	24	28	28
Q4	30	28	32	32
Karachi	17	16	11	6
Dhaka				
Q1	14	15	16	16
Q2	16	18	22	28
Q3	14	14	14	n/a
Q4	20	22	32	36
Calcutta	5	1	0	n/a
New Delhi				
Q1	0	0	0	0
Q2	15	17	12	12
Q3	23	25	25	24
Q4	30	32	32	20
Bombay				
Q1	0	0	0	0
Q2	10	12	12	8
Q3	10	12	12	8
Q4	10	12	12	8
Madras	4	3	5	5
Colombo	4	7	4	2
Manila	8	6	6	n/a
Bangkok	8	7	3	7
Lagos	6	11	5	3
Abuja	3	12	7	5.5
Accra	20	17	3	7.2
St. Petersburg	5	1	2	n/a
Moscow	1.5	2	4	0

Notes:

Q1 = Dependent relatives over 65; special compassionate cases

Q2 = Spouses, children under 18

Q3 = Fiancé(e)s; other settlement categories

Q4 = Reapplicants

n/a = Not applicable

Bangladesh (British High Commissioner)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to announce the name of the new British High Commissioner in Bangladesh. [70400]

Mr. Tony Lloyd: We aim to announce Ambassadorial, Governor and High Commissioner appointments three months before the appointment is taken up. In the case of Dhaka, the present High Commissioner, Mr. David Walker, is due to leave post towards the end of 1999.

Migration and Visa Correspondence Unit

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last visited the Migration and Visa Correspondence Unit. [70399]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has not visited the Migration and Visa Correspondence Unit (MVCU). However, my noble Friend the Parliamentary Under-Secretary of State, Baroness Symons, who has responsibility for entry clearance matters, last visited MVCU in May 1997. My noble Friend also has regular contact with MVCU about specific visa cases, and addresses Entry Clearance training courses.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70410]

Mr. Fatchett *[holding answer 11 February 1999]:* The National Assets Register published in November 1997 gave details of asset holdings as at 1 April 1997. Since that date the FCO has sold 58 overseas estate assets and 181 vehicles. Details are as listed. Total proceeds amounted to £12.65m. Property sales in the pipeline are expected to realise a further £40m.

The FCO sale of assets—Property from 1 April 1997 to date

Country		*Description*	*Number of sales*	*Proceeds (£000)*
New Zealand	Wellington	Dwelling	1	58
Namibia	Windhoek	Dwelling	1	61
Lesotho	Maseru	Land	2	54
France	Paris	Dwelling	11	1,011
		Residence	1	1,661
	Marseilles	Residence	1	691
South Africa	Johannesburg	Dwelling	3	100
	Cape Town	Dwelling	1	296
	Pretoria	Dwelling	1	135
Holland	The Hague	Dwelling	3	226
Zambia	Lusaka	Dwelling	4	272
Spain	Madrid	Dwelling	1	91
Mozambique	Maputo	Dwelling	1	82
Switzerland	Zurich	Residence	1	1,086
	Geneva	Dwelling	4	983
Argentina	Buenos Aires	Dwelling	1	65
Zimbabwe	Harare	Dwelling	1	32
Finland	Helsinki	Dwelling	3	541
Guyana	Georgetown	Dwelling	1	145
Solomon Isles	Honiara	Dwelling	1	53
Germany	Berlin	Land	1	127

The FCO sale of assets—Property from 1 April 1997 to date

Country		*Description*	*Number of sales*	*Proceeds (£000)*
Portugal	Oporto	Land	1	781
Trinidad	Port of Spain	Dwelling	1	162
Columbia	Bogota	Offices	1	539
		Dwelling	1	46
Morocco	Casablanca	Offices	1	863
Swaziland	Mbabane	Dwelling	1	29
Norway	Oslo	Dwelling	1	201
Canada	Ottawa	Dwelling	2	672
Ecuador	Quito	Residence	1	188
		Land	1	135
Australia	Canberra	Dwelling	1	141
Iceland	Reykjavik	Dwelling	1	42
Albania	Tirana	Dwelling	1	65
			Proceeds	£11.63m

Vehicles

(From 1 April 1997 to 30 September 1998. The latest date for which information is available)

Heavy Commercial	5		
Light Commercial	34		
Motor Cars	142		
		Proceeds	£1.02m
		Total Proceeds	£12.65m

Russia (Anti-semitism)

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on anti-semitism in Russia. [70949]

Ms Quin: Her Majesty's Government share the wide public and parliamentary concern about recent anti-semitic statements in Russia. We have told the Russian authorities that racial intolerance and extremist political activities are wholly unacceptable and most recently last week I raised this with the Chairman of President Yeltsin's Commission on Human Rights. We look to the Russian government and the regional administrations to take firm action to deal with anti-semitism, and we welcome the strong condemnation of racial intolerance by President Yeltsin in November last year.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations were made to the Russian Government consequent upon anti-semitic attacks on Marina Roshcha synagogue and Vostryakovskoye cemetery last year. [70950]

Ms Quin: The British Ambassador in Moscow and, at our instigation, the EU Presidency, have made strong representations about the anti-semitism in Russia, but have not specifically referred to these attacks. We and our EU partners made clear to the Presidential Administration, the Communist leadership and the Duma that anti-semitism is wholly unacceptable. My right hon. Friend the Foreign Secretary will reinforce these messages personally when he visits Russia. We welcome President Yeltsin's condemnation of the attack on the Marina synagogue.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Russian Government concerning statements on Zionism made in December 1998 by the leader of the Communist Party. [70951]

Ms Quin: The British Ambassador in Moscow raised our concerns about anti-semitism in Russia with both the Presidential Administration and Mr. Zyuganov himself before the Communist leader's statement of 23 December. At our instigation, the EU Presidency in Moscow expressed EU concerns to Deputy Foreign Minister Gussarov on 28 January, and will follow up shortly with Mr. Zyuganov.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Russian Government on anti-semitism in Russia. [70948]

Ms Quin: The British Ambassador made representations to the Presidential Administration on 3 December; the leader of the Communist Party, Gennady Zyuganov on 4 December; and Deputy Foreign Minister Avdeev on 15 January. At our instigation, the EU Presidency formally raised it with Deputy Prime Minister Gussarov on 28 January. I also expressed our concerns to President Yeltsin's Human Rights adviser, Professor Kartashkin, on 11 February. My right hon. Friend the Foreign Secretary will raise this issue during his forthcoming visit to Russia.

Burmese Military Offensive

Mr. Miller: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to encourage the Thai Government to increase the security of refugee camps along the Burmese border during the current dry season Burmese military offensive. [70748]

Mr. Fatchett: Following rumours of a possible Burmese attack on the Thai-Burma border, the British Embassy in Bangkok last week raised with the Thai authorities our concern for the security of refugees in the area. The Thais assured us that they were alive to the risk of dry season attacks and were taking measures to ensure the protection of refugees.

Mr. Miller: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to put pressure on the Burmese military regime to cease ethnic cleansing actions against ethnic minorities in Burma. [70749]

Mr. Fatchett: We have repeatedly made clear to the Burmese regime our deep concern at their human rights violations, particularly those of ethnic minorities. In December 1998, we co-sponsored a UN General Assembly resolution which strongly urges the SPDC to ensure full respect for human rights and fundamental freedoms. We, and our EU Partners, are also working towards a tough resolution at the forthcoming session of the UN Commission on Human Rights. We will continue to take every opportunity to raise our concerns with the regime.

Conventional Arms Working Group

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates of future meetings of Conventional Arms Working Group. [71066]

Mr. Tony Lloyd: The next meeting of COARM will take place on 18 March. The final COARM of the German Presidency is scheduled for 26 May but this date may be changed in order to avoid clashing with a meeting of the Wassenaar Arrangement.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the conclusions of the Conventional Arms Working Group meetings for December and January. [71048]

Mr. Tony Lloyd: Applications for access to Council documents can be made to the General Secretariat of the Council, which suggests to the Council what action should be taken on individual applications.

There are no formal conclusions of CFSP Working Group meetings. The outcome of proceedings of the COARM meeting on 28 January 1999 can be applied for from the Council Secretariat, under Council Decision 93/731/EC on access to Council documents. There was no COARM meeting in December 1998.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the agendas of the Council of Ministers' Conventional Arms Working Group working group meetings for December and January. [71047]

Mr. Tony Lloyd: There was no COARM meeting in December 1998. The COARM meeting on 28 January discussed the implementation of the EU Code of Conduct on Arms Exports; prevention of illicit arms trafficking to and within the Great Lakes region; and controls exercised by Member States on the trafficking and brokering of arms.

Arms Brokers

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate his Department has made of the numbers of arms brokers operating in the UK. [71045]

Mr. Tony Lloyd: The Foreign and Commonwealth Office has made no estimate of the numbers of arms brokers operating in the UK.

Gibraltar

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to respond to the Matutes proposals regarding the future of Gibraltar. [71771]

Ms Quin: We have always said that we will respond to the proposals made by Sr Matutes at the next Brussels Process meeting. No date has yet been fixed.

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to alter the constitutional status of Gibraltar; and if he will make a statement on the likely date of implementation. [71693]

Ms Quin: We have had preliminary technical discussions with the Government of Gibraltar about their ideas for constitutional change. No formal proposals have yet been made.

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Spanish nationals normally domiciled in Spain are regularly employed in Gibraltar. [71695]

Ms Quin: On 12 February this year, the Government of Gibraltar's records listed 1,741 Spanish nationals as working in Gibraltar but residing in Spain. All employers in Gibraltar are required to register their personnel with the Employment and Training Board, irrespective of nationality.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Spanish Foreign Minister's statement that he has breached an agreement made between them on Gibraltar in October 1998. [71585]

Ms Quin: My right hon. Friend the Foreign Secretary has not breached the understanding agreed with the Spanish Foreign Minister in October 1998. There were difficulties in making the understanding work at the local level. We now hope that the local agreement reached between the Chief Minister of Gibraltar and the fishermen, building on the October understanding, will continue to work satisfactorily.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs what understanding was arrived at between himself and the Spanish Foreign Minister over Gibraltar at their meeting in October 1998. [71587]

Ms Quin: On 5 October 1998, my right hon. Friend the Foreign Secretary reached an understanding with the Spanish Foreign Minister on the situation that prevailed in British waters around Gibraltar from 1991–97, when fishing took place in moderation and the fishermen respected the authority of the Gibraltar law enforcement agencies. They agreed that we should revert to that situation.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the European Commission since 1 February on the issue of Spain's treatment of Gibraltar; when they were made; and to whom. [71713]

Ms Quin: The UK Permanent Representative to the European Union in Brussels wrote both to the President of the European Commission and to his Chef de Cabinet on 11 February about recent developments concerning Gibraltar. His staff had briefed the cabinet of the Commissioner Gradin and other relevant cabinets in early February concerning the closure of the border by Spanish fishermen.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take to ensure that Gibraltar driving-licence holders can enter Spain. [71722]

Ms Quin: We are monitoring the Spanish approach to Gibraltar-issued driving licences. Driving licences issued in Gibraltar are EU licences. EU driving licences must be mutually recognised by member states under the requirements of the EU Second Driving Licence Directive. We look to the Spanish authorities to recognise these documents in conformity with EU obligations.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs if representations made to the Spanish Government on 10 February were made by *(a)* minister and *(b)* officials. [71716]

Ms Quin: HM Ambassador in Madrid raised the Spanish Foreign Minister's comments to the Spanish Congress with the Spanish Ministry of Foreign Affairs on 10 February and called on the Ministry in person on

11 February to pursue the matter. My right hon. Friend the Foreign Secretary spoke to the Spanish Foreign Minister on 11 February.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the recently agreed Fisheries Agreement between Gibraltar and the Spanish Fishermen's Union. [71725]

Ms Quin: We welcome the agreement reached on 3 February between the Chief Minister of Gibraltar and representatives of local Spanish fishermen, which builds on the understanding agreed by my right hon. Friend the Foreign Secretary with the Spanish Foreign Minister in October 1998. These new arrangements have since been working well in practice.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he intends in the event that the Spanish Foreign Minister refuses Gibraltar-bound civil airlines the right to overfly Spanish airspace. [71723]

Ms Quin: The Spanish Foreign Minister has not informed us of any present intention to refuse Gibraltar-bound civil aircraft the right to overfly Spanish airspace. It would be extraordinary and unprecedented for an EU Member State to impose an overflight ban on civil aircraft of a European partner.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list the dates of all his attempts to converse with the Spanish Foreign Minister to discuss Gibraltar in the past two weeks, indicating the means employed and the outcome of those attempts; [71715]

(2) on what occasions the Spanish Foreign Minister has contacted *(a)* him and *(b)* his office about Gibraltar in the past two weeks. [71720]

Ms Quin: The two Ministers' offices spoke on the telephone several times but were unable to set up a telephone conversation between the Ministers until 11 February.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates of all the conversations he had with the Spanish Foreign Minister to discuss Gibraltar in the past two weeks; and if he will make a statement on these conversations. [71714]

Ms Quin: My right hon. Friend the Foreign Secretary most recently discussed Gibraltar with the Spanish Foreign Minister on 25 January and in a telephone conversation on 11 February. The first conversation was about problems over fishing in British waters around Gibraltar. The second also covered Spanish restrictions on movement across the Gibraltar border, the implementation of EU Directives in Gibraltar and reports of other planned Spanish restrictions. The two Ministers agreed to work to improve the situation, and to meet again on 21 February.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed border restrictions and delays at the La Linea Frontier with the Spanish Government; and if he will make a statement. [71717]

Ms Quin: My right hon. Friend the Foreign Secretary last discussed this issue with the Spanish Foreign Minister in a telephone conversation on 11 February.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to respond to the Spanish proposals for joint sovereignty of Gibraltar, tabled on 10 December 1997. [71718]

Ms Quin: We have always said that we will respond to the Spanish proposals at the next Brussels Process meeting. No date has yet been fixed.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government have taken to end restrictions on the rights of Gibraltarians to pass across their border freely. [71721]

Ms Quin: In our discussion of Gibraltar with the Spanish government, we have always emphasised that border restrictions going beyond those compatible with EU norms for a light passport check and customs control (Gibraltar is outside the Community customs territory) are unjustified and counter-productive. My right hon. Friend the Foreign Secretary spoke on the telephone to the Spanish Foreign Minister on this subject on 11 February. The Embassy in Madrid has also raised it on several occasions with the Spanish Ministry of Foreign Affairs and I have raised it with my counterpart, Senor de Miguel. We again made it clear to the Spanish authorities that we look to them to allow movement across the border in conformity with EU obligations. We have also drawn the current situation at the Gibraltar/Spain border to the attention of the President of the European Commission.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs if he proposes to discuss the recently agreed Fisheries Agreement between Gibraltar and the Spanish Fishermen's Union with the Spanish Foreign Minister. [71724]

Ms Quin: My right hon. Friend the Foreign Secretary discussed this issue with the Spanish Foreign Minister when they spoke on the telephone on 11 February.

Mr. Trend: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the residents of Gibraltar over Spanish proposals for joint sovereignty of Gibraltar, tabled on 10 December 1997; and if he will make a statement. [71719]

Ms Quin: We have received numerous individual representations from residents of Gibraltar, as well as a petition organised by the Self Determination for Gibraltar Group. All have called on HMG to reject the proposals.

Spain (Tourism)

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the estimated value of British tourism to mainland Spain in the last year for which figures are available. [71699]

Ms Quin: The latest official figures available from the Office for National Statistics Tourism Trends show that in 1997 the total number of British visitors to Spain (both tourist and business), was 8.25 million. British visitors spent a total of £2.825 billion during the year. The figure for 1998 will be higher as the number of British tourists to Spain last year rose significantly over preceding years.

Prime Minister (Articles)

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those articles, written by the Prime Minister, which his Department has placed through overseas posts in foreign newspapers and journals; and if he will deposit the English version in the Library. [71145]

Mr. Fatchett: I refer the hon. Member to the answer given to his question by my right hon. Friend the Prime Minister on 3 February 1999, *Official Report*, column *642*.

Biosafety

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what input his Department has made in determining the Government's objectives in the forthcoming negotiations on the Biosafety Protocol to the UN Convention on Biological Diversity. [70936]

Mr. Fatchett *[holding answer 15 February 1999]:* The UK has reached a common position with EU partners on the objectives for the Biosafety Protocol: to secure an instrument that provides necessary environmental safeguards without hampering trade. FCO Posts have recently conducted a major lobbying exercise in non-EU countries to present the EU and UK position on the Protocol. The results of this exercise have helped to inform the preparations for the final negotiations of the Protocol.

Al-Shifa Factory, Khartoum

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Al-Shifa pharmaceutical factory in Khartoum was engaged in commercial production of medicines and drugs. [71761]

Mr. Fatchett: We understand that the Al-Shifa plant was involved in commercial pharmaceutical production.

Sierra Leone

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs who was the first person in his Department to have sight of a copy of the Foreign Affairs Committee report on Sierra Leone (HC 116 of Session 1998–99); and at what time and on what day it was seen. [71829]

Mr. Tony Lloyd: Copies of the report were collected from the Foreign Affairs Committee office at 0800 on 9 February by the Head of Parliamentary Relations Department and the Parliamentary Clerk.

EU Membership

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs by what percentages the entry of the six current applicant countries for EU membership into the EU will increase *(a)* the EU's population and *(b)* the EU's GDP. [71085]

Ms Quin: We cannot of course predict the population or GDP of the candidates or the 15 current EU member states at the time of the first accessions. However recent figures indicate that enlargement to include the six candidates currently in accession negotiations would increase the EU's population by some 17 per cent. (based on figures in Agenda 2000 published by the European Commission in July 1997) and GDP (Purchasing Power Parity) by about 8 per cent. (based on figures released by Eurostat on 11 September 1998).

Weapons Seizure (Antwerp)

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Belgium Ministry of Foreign Affairs concerning the seizure at Antwerp on 7 February of consignments of weapons destined for Eritrea, being transported by a British company. [71384]

Mr. Tony Lloyd: We received no representations from the Belgium Ministry of Foreign Affairs about seizures at Antwerp on 7 February.

We did, however, receive a letter from the Belgian Embassy in London on 6 November 1998 informing us that Belgian Customs had stopped, in August, a shipment of goods originating in Germany destined for Eritrea. They informed us that a British company was involved in organising the shipment. The matter is before the Belgian courts. We will continue to monitor developments.

Former Yugoslavia

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the numbers of Serbs displaced from their homes in Krajina; how many have since been permitted to return; what representations he has made to the Croatian authorities about the problem; and if he will make a statement. [71321]

Mr. Tony Lloyd: We receive regular reports on the refugee situation in the former Yugoslavia from organisations such as United Nations High Commissioner for Refugees (UNHCR), the Organisation for Security and Co-operation in Europe (OSCE), and the European Community Monitoring Mission (ECMM).

According to UNHCR figures, there remain 220,000 Croatian Serb refugees outside Croatia. There are also some 8,000 Serb refugees in the Creation region of Eastern Slavonia who were displaced from their homes. Up until 4 February 1999, 28,000 Croatian Serb refugees are reported to have returned to Croatia.

We take every opportunity to impress on the states of the former Yugoslavia the importance we place on refugee return. I most recently raised this issue with the Croatian Assistant Foreign Minister when he called on me in London on 8 February.

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received in respect of the massacre at Bosanski Brod in 1992; if any persons have been indicted and brought before The Hague International War Crimes Tribunal for their involvement; and if he will make a statement. [71322]

Mr. Tony Lloyd: We have received no recent reports in respect of a massacre at Bosanski Brod in 1992 and are not aware of any indictments released by the International Criminal Tribunal for the former Yugoslavia relating to such a massacre. However, the destruction of property in Bosanski Brod in 1992 is mentioned briefly in an indictment against Radovan Karadzic and Ratko Mladic. It is open to ICTY to issue further indictments if it has sufficient evidence to prosecute individuals suspected of war crimes anywhere in the territory of the Former Yugoslavia.

EU Institutional Charges

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the institutional changes within the EU, with particular reference to relations between national parliaments, following the coming into effect of the Amsterdam Treaty. [69432]

Ms Quin: The Protocol on national parliaments attached to the Treaty of Amsterdam provides for a consultative role for COSAC—the representatives of European Affairs Committees from national parliaments in the European Union. We welcome this development. The Protocol also provides for greater involvement of national parliaments in EU business through the six-week minimum scrutiny period. This will reinforce the changes to our national scrutiny system introduced last November.

Sudan

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what attempts have been made to improve Anglo-Sudanese diplomatic relations in the last year; and if he will list the formal contacts to this end between Her Majesty's Government and the Government of Sudan, and the results of these contacts. [71758]

Mr. Fatchett: We have had regular contact with the Sudanese authorities since the withdrawal of British staff from Khartoum in August last year. Through these contacts we continue to work towards the normalisation of Anglo-Sudanese relations. Contacts are ongoing.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer on 30 November 1998, *Official Report*, column 96, if Her Majesty's Government have supported resolutions or draft resolutions calling for an independent United Nations investigation of the Al-Shifa factory site in Khartoum. [71759]

Mr. Fatchett: A draft resolution on this issue is still on the table at the UN Security Council but has not been put to the vote.

Bilateral US/Sudan dialogue on the issue continues. Meanwhile we encourage Sudan to become a party to the Chemical Weapons Convention, which prohibits the acquisition, development, production, stockpiling and use of chemical weapons. It is supported by a verification regime consisting of data declarations and on-site inspections.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received from Her Majesty's Ambassador to Sudan on whether the Al-Shifa pharmaceutical factory in Khartoum was a heavily guarded military installation. [71760]

Mr. Fatchett: Her Majesty's Ambassador to Khartoum visited the Al-Shifa factory only once; for the official opening ceremony in July 1997. He did not report that it was a heavily guarded military installation.